

Tarwater.
Terrell.
Tillotson.
Turner.
Van Zandt.
Waddell.
Warwick.
West.

Westbrook.
Williams
of Sabine.
Williams
of Travis.
Woodruff.
Young.

Present—Not Voting.

Stephens.

Absent.

Allred.
Anderson.
Baldwin.
Beck.
Brice.
DeWolfe.
Dunlap.
Duvall.
Eickenroht.
Finlay.
Gates.
Graves
of Williamson.
Hardy.
Harding.
Harman.
Harper.
Harrison.
Hefley.
Hogg.
Hopkins.
Johnson
of Dallam.
Johnson
of Dimmit.
Kayton.

Kemble.
Kenyon.
Land.
Lemens.
Mankin.
Martin.
Mauritz.
Maynard.
McKean.
Mehl.
Montgomery.
Moore.
Morse.
Nicholson.
Olsen.
O'Neill.
Palmer.
Patterson.
Pope of Jones.
Ray.
Sanders.
Savage.
Speck.
Thompson.
Wiggs.

Absent—Excused.

Avis.
Bateman.
Carpenter.
Chastain.
Holder.
Johnson of Scurry.
Justiss.
Kincaid.
Metcalfe.
Minor.
Mosely.

Prendergast.
Reader.
Reid.
Richardson.
Rountree.
Veatch.
Wallace.
Webb.
Williams
of Hardin.

Mr. Anderson raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

Mr. Purl moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the

Hall without written permission from the Speaker.

On motion of Mr. Bradley, the Sergeant-at-Arms was instructed to bring in all absent members within the city and county who are not ill.

ADJOURNMENT.

On motion of Mr. Snelgrove, the House, at 2:40 o'clock p. m., adjourned until 10 o'clock a. m., next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Municipal and Private Corporations: Senate bill No. 71.

Oil, Gas and Mining: House bill No. 140.

Education: Senate bill No. 85 and House bill No. 147.

Judicial Districts: Senate bills Nos. 83, 63 and 81, and House bill No. 151.

Revenue and Taxation: House bill No. 149.

The Committee on Revenue and Taxation filed an adverse report, with a minority favorable report, on House bill No. 137.

NINETEENTH DAY.

(Monday, March 17, 1930.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and developed the fact that there was not a quorum present.

Mr. Holder moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Holder, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll was again called and the following members were present:

Mr. Speaker.	Long of Houston.
Acker.	Long of Wichita.
Ackerman.	Loy.
Adkins.	Magee.
Allred.	Marks.
Anderson.	Mauritz.
Baker.	McCombs.
Barnett.	McGill.
Bateman.	Mehl.
Beck.	Metcalf.
Bond.	Minor.
Bounds.	Moore.
Bradley.	Morse.
Brice.	Mullally.
Coltrin.	Murphy.
Conway.	Negley.
Cox of Lamar.	Nicholson.
Cox of Limestone.	Olsen.
Davis.	Palmer.
DeWolfe.	Patterson.
Dunlap.	Pavlica.
Duvall.	Petsch.
Enderby.	Pool.
Farrar.	Pope of Jones.
Finn.	Pope of Nueces.
Finlay.	Purl.
Forbes.	Quinn.
Fuchs.	Ray.
Gates.	Reader.
Gilbert.	Renfro.
Giles.	Richardson.
Graves	Riley.
of Williamson.	Rogers.
Graves of Erath.	Sanders.
Hardy.	Shaver.
Harding.	Shelton.
Harman.	Sherrill.
Harrison.	Simmons.
Heaton.	Sinks.
Hines.	Snelgrove.
Hogg.	Speck.
Holder.	Stephens.
Hopkins.	Stevenson.
Hornaday.	Storey.
Hubbard.	Tarwater.
Jenkins.	Terrell.
Johnson	Tillotson.
of Dallam.	Turner.
Johnson	Van Zandt.
of Dimmit.	Waddell.
Johnson of Smith.	Wallace.
Jones.	Walters.
Justiss.	Warwick.
Keeton.	West.
Keller.	Williams
Kemble.	of Sabine.
Kennedy.	Williams
King.	of Travis.
Kinnear.	Woodruff.
Lee.	Young.

Absent.

Albritton.	Eickenroht.
Avis.	Harper.
Baldwin.	Hefley.
Brooks.	Kayton.

Kenyon.	Montgomery.
Land.	O'Neill.
Lemens.	Prendergast.
Mankin.	Reid.
Martin.	Thompson.
Maynard.	Westbrook.
McDonald.	Wiggs.
McKean.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Veatch.
Johnson of Scurry.	Webb.
Kincaid.	Williams
Mosely.	of Hardin.
Rountree.	

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Kenyon for today, on motion of Mrs. Moore.

Mr. Webb for today, on motion of Mr. Bounds.

Mr. Kincaid for today, on motion of Mr. Kinnear.

Mr. Savage for today, on motion of Mr. Holder.

Mr. Richardson for today, on motion of Mr. West.

Mr. Rountree for today, on motion of Mr. Beck.

Mr. Carpenter for today, on motion of Mr. Van Zandt.

The following members were granted leaves of absence on account of illness:

Mr. Chastain for today, on motion of Mr. Tillotson.

Mr. Williams of Hardin for today and the balance of the week, on motion of Mr. Quinn.

Mr. Albritton for today, on motion of Mr. Kennedy.

Mr. Minor for today, on motion of Mr. Sanders.

Mr. Veatch for today and the balance of the session, on motion of Mr. Snelgrove.

Mr. Johnson of Scurry and Mr. Mosely for today, on motion of Mr. Van Zandt.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Young:

H. B. No. 155, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on taking effect of this act, and declaring an emergency."

Referred to Committee on Claims and Accounts.

By Mr. Quinn, Mr. Bond, Mr. Gilbert, Mr. Storey and Mr. Stevenson:

H. B. No. 156, A bill to be entitled "An Act providing that the Attorney General shall be the legal advisor and legal representative of the University of Texas, the board of regents of such institution, the board for lease of University lands and any other boards created for the management or control of any of the affairs or property of the University of Texas, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Magee:

H. B. No. 157, A bill to be entitled "An Act providing for levying, collecting, and allocating taxes on certain acreages of land planted to cotton."

Referred to Committee on Revenue and Taxation.

By Mr. Metcalfe:

H. B. No. 158, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927, relating to the organization of the Fifty-first (51) Judicial District of the State of Texas; reorganizing the same; naming the counties constituting the same, and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth (35) Judicial District of the State of Texas, reorganizing the same, naming the counties constituting the same, and fixing the terms of court to be held in the several counties therein, and declaring an emergency."

Referred to Committee on Judicial Districts.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 71, "An Act to amend

Article 1302, Revised Statutes of 1925, so as to authorize the formation of corporations to do mineral royalty business, and declaring an emergency."

H. B. No. 19, "An Act amending Article 7060 of the Revised Civil Statutes of 1925, so as to increase the gross receipts taxes upon those engaged in owning, operating, managing or controlling any gas, electric light, electric power or water works, or water and light plant, within this State and charging for gas, electric lights, electric power or water, and levying said tax without regard to the population of the town or city in which same is operated, and declaring an emergency."

BILLS ORDERED NOT PRINTED.

On motion of Mr. Purl, Senate bills Nos. 81 and 83 were ordered not printed.

RELATING TO HOUSE BILL NO. 133.

On motion of Mr. Holder, by unanimous consent, House bill No. 133, which bill had heretofore been laid on the table subject to call, was called upon and giving its regular place on the House calendar.

BILLS LAID ON THE TABLE SUBJECT TO CALL.

On motion of Mr. Purl, Senate bills Nos. 81 and 83 were laid on the table subject to call.

TO PROVIDE ADDITIONAL LADIES' REST ROOM.

Mr. Purl offered the following resolution:

Resolved by the House of Representatives, That the Board of Control be and it is hereby directed to provide another suitable ladies' rest room in this building; and be it further

Resolved, That if found practical said additional rest room be placed on the second floor of this building, said location to be approved by the Speaker of the House.

The resolution was read second time and was adopted.

RELATIVE TO CERTAIN OIL AND GAS LEASES OF UNIVERSITY.

The Speaker laid before the House, for consideration at this time, resolution heretofore offered by Mr. Long of Wichita relative to certain oil and gas leases of the University of Texas, the resolution having heretofore been referred to the Committee on Public

Lands and Buildings and the committee having recommended the passage of the following substitute resolution:

Providing for the investigation of the validity of certain oil and gas leases, the Board of Regents of the University of Texas, and the administration thereof by the State Auditor and to be assisted, if necessary, by a committee of the House of Representatives of the State of Texas, appointed therefor, and defining the powers of said committee, and making appropriation out of per diem and contingent fund for the payment of the expenses of the said committee.

Whereas, It is the duty and interest of the House of Representatives that the University secure all payments of royalty due the University; and

Whereas, It is the duty and interest of the House of Representatives that all leases granted on University land are complied with according to law; and

Whereas, It is the duty and interest of the House of Representatives that the Board of Regents of the University of Texas use and appropriate the available building fund as is provided for by law; and

Whereas, The Commissioner of the General Land Office did in 1924 issue leases on land located in Reagan county, Texas, to the Texon Oil and Land Company of Delaware, Texon Oil and Land Company of Texas, Group No. 1 Oil Corporation, Group No. 2 Oil Corporation, and the Big Lake Oil Company, the validity of which said leases have been questioned for the following reasons:

(1) That the applications for the transfer of interest in said applications, permits and leases were not filed in the General Land Office within the time provided by law.

(2) That it is questionable whether a well or wells was begun or commenced or any development for oil, gas or minerals initiated on any of said land by said parties named above or by anyone in their behalf within the time required by law.

(3) It is also charged that the development or drilling operations were not completed and oil and gas discovered and produced in paying quantities within the time required by law.

(4) It is also charged that permits were not grouped in the manner provided by law.

(5) That information has been procured disclosing that in the present way and manner in which said University oil leases and oil rights are being conducted and managed that a serious

question arises as to whether that institution is now receiving and has been receiving what it is justly entitled to under the law.

Whereas, That on the 22nd day of October, 1924, the Big Lake Oil Company, the Texon Oil and Land Company of Delaware, the Texon Oil and Land Company of Texas, Group No. 1 Oil Corporation, Group No. 2 Oil Corporation and Big Lake Oil Company, entered into a contract with the Marland Oil Company with the apparent purpose and intention of depriving the University of royalty payments from the production of said land located in Reagan county, Texas, by forming the Reagan County Purchasing Company, which purchasing company was to purchase the oil produced by the producing companies in such a way as to defraud the University of its royalties; and

Whereas, A serious and grave question arises whether the Board of Regents of the University of Texas have and now are expending the available University funds contrary to law by the following means:

(1) By paying for or contracting to pay out of the available building fund over eighty thousand (\$80,000) dollars for attorney fees.

(2) By paying for or contracting to pay out of the available building fund large sums of money for audits and salaries.

(3) By placing to the credit of the available building fund the income derived from the University's share of the Reagan County Purchasing Company; and

Whereas, The aforesaid allegations and acts are of such supreme importance to the people of the State of Texas that the true facts should be known; therefore, be it

Resolved by the House of Representatives: (1) That investigation be ordered, the subject of which shall be to establish the true facts concerning the aforesaid allegations and acts and to accomplish the following purposes:

(a) To determine whether the University of Texas has and is now receiving its share of royalty due from oil and gas leases.

(b) To determine the validity of all University leases.

(c) To determine whether the available fund is being expended in a lawful manner.

(d) To enable the Legislature to take such action that is deemed necessary and proper in the event any irregularities are found to exist in the pay-

ment of royalties, the validity of leases and the expenditure of the available building fund; and such other matters as may be developed in said investigation for the purpose of thoroughly determining the entire status of the University properties; be it further

Resolved: (1) That the State Auditor be authorized and he is hereby empowered to diligently inquire into and ascertain all facts available bearing upon the matters herein referred to and to investigate the issuance of permits, patents, leases, royalty payments, expenditure of the available building fund and all acts relating to sale of University land leases heretofore made, or attempted to be made and said committee hereinafter appointed shall have the right and is here given the power and authority to call upon the State Auditor from time to time as it shall be deemed necessary for such information as he has procured and may direct him to procure such other and additional information as said committee may deem necessary in order to carry out the purposes of this resolution.

(2) That a committee of five members of the House be appointed by the Speaker of the House to make the investigation provided for by this resolution and to direct the State Auditor in ascertaining the facts and other information to be procured by him with reference to the matters herein referred to.

(3) That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours for meeting and adjourning; and sessions of said committee shall be open to the public, except at such times as the committee, by a majority vote, may determine to hold an executive session. The chairman of said committee shall be elected by a majority vote of the members of said committee, and the committee shall appoint its own secretary and employees, and its sergeant-at-arms.

(4) That the committee shall have the power to issue process for witnesses to any place in this State and to compel their attendance and to produce all books and records and upon disobedience of any subpoena the said committee shall have the power to issue attachments, which may be addressed to and served by either the sergeant-at-arms appointed by said committee or any sheriff or any constable of this State; said committee shall have power to inspect and make copy of any books, records, or files of any department, commission or board of this State, or any employee or appointee

by said committee and of any county or political subdivision of this State, and shall have power to examine and audit the books of any person, firm or corporation having dealings with said departments, commissions or boards under investigation or any employee or appointee of said offices. The committee shall have the power to administer oaths and affirmations and fix the bonds of attached witnesses and the committee shall further have all powers necessary in order to accomplish the purposes for which it is appointed.

(5) The witnesses attending said committee under process shall be allowed the same mileage and per diem as is allowed witnesses in the trial of criminal cases in the district court.

(6) Said committee shall have the power and authority to employ and compensate all necessary experts, investigators, stenographers, clerks, auditors, and all other necessary employees, and it shall be the duty of said committee to make and keep a record of its investigations.

(7) That said committee may call upon the Attorney General's Department for assistance and advice, and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee upon the request of the chairman or members of said committee.

(8) That said committee shall begin and complete its investigation at the earliest practicable moment, and shall submit a report in writing to any subsequent special session of the Forty-first Legislature, or if there be no subsequent special session, the committee shall submit its report to the Forty-second Legislature. The compensation and expenses herein provided for incident to such investigation shall be paid out of the appropriation for mileage and per diem and contingent expenses of the Fifth Called Session of the Forty-first Legislature upon sworn account of the persons entitled to such pay when approved by chairman of said committee and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said Fifth Special Session of the Forty-first Legislature to meet the payment of such per diem and expenses of the members of said committee, witnesses, fees and other expenses incident of said investigation.

(9) Said committee may include in its report its recommendation of any legislation that should be enacted or other action that should be taken.

Question recurring on the substitute resolution, yeas and nays were demanded.

The substitute resolution was adopted by the following vote:

Yeas—83.

Acker.	Kennedy.
Adkins.	King.
Allred.	Kinnear.
Anderson.	Long of Houston.
Baker.	Long of Wichita.
Barnett.	Loy.
Beck.	Magee.
Bond.	Mehl.
Bounds.	Metcalfe.
Bradley.	Morse.
Brice.	Mullally.
Coltrin.	Murphy.
Conway.	Nicholson.
Cox of Lamar.	Palmer.
Cox of Limestone.	Pavlica.
Davis.	Pope of Jones.
DeWolfe.	Pope of Nueces.
Enderby.	Quinn.
Farrar.	Renfro.
Finn.	Rogers.
Finlay.	Sanders.
Forbes.	Shelton.
Fuchs.	Sherrill.
Gates.	Snelgrove.
Gilbert.	Speck.
Graves of Erath.	Stephens.
Hardy.	Stevenson.
Harding.	Storey.
Harman.	Tarwater.
Hines.	Terrell.
Hopkins.	Tillotson.
Hornaday.	Turner.
Hubbard.	Waddell.
Jenkins.	Wallace.
Johnson	Walters.
of Dallam.	Warwick.
Johnson	West.
of Dimmit.	Williams
Johnson of Smith.	of Sabine.
Jones.	Williams
Justiss.	of Travis.
Keeton.	Woodruff.
Keller.	Young.
Kemble.	

Nays—12.

Duvall.	Patterson.
Harrison.	Petsch.
Hogg.	Pool.
McCombs.	Purl.
McGill.	Simmons.
Negley.	Van Zandt.

Present—Not Voting.

Mr. Speaker.	Mauritz.
Dunlap.	Shaver.
Giles.	Sinks.
Marks.	
	Absent.
Ackerman.	Albritton.

Avis.	Lemens.
Baldwin.	Mankin.
Bateman.	Martin.
Brooks.	Maynard.
Eickenroht.	McDonald.
Graves	McKean.
of Williamson.	Montgomery.
Harper.	Moore.
Heaton.	O'Neill.
Hefley.	Prendergast.
Holder.	Ray.
Kayton.	Reid.
Kenyon.	Riley.
Land.	Westbrook.
Lee.	Wiggs.

Absent—Excused.

Carpenter.	Richardson.
Chastain.	Rountree.
Johnson of Scurry.	Savage.
Kincaid.	Thompson.
Minor.	Veatch.
Mosely.	Webb.
Olsen.	Williams
Reader.	of Hardin.

The resolution as substituted was then adopted.

HOUSE BILL NO. 132 ON SECOND READING.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 132, A bill to be entitled "An Act declaring the public policy of this State relating to the production of cotton crop rotation; declaring the conditions which justify invoking the police power in regulating and curtailing the production of cotton, for the purpose of preventing root rot and other cotton diseases, retaining the fertility of the soil and promoting agricultural diversification; providing the maximum number of acres to be planted in cotton annually, and declaring an emergency."

The bill having heretofore been read second time with amendment by Mr. McDonald, amendment by Mr. Tarwater to the amendment and point of order by Mr. Jones, pending.

By unanimous consent of the House, further consideration of the bill was postponed until tomorrow to hold its present position on the calendar.

HOUSE BILL NO. 120 ON SECOND READING.

On motion of Mr. Kemble, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 120, A bill to be entitled

"An Act amending Article 1206 of Chapter 17, Title 28, Revised Civil Statutes of the State of Texas of 1925, relating to condemnation of property by cities for highway purposes; providing for appointment of commissioners, for award of damages for property taken or damaged; providing for notices and hearings; prescribing the powers and procedure of such commissioners, fixing their compensation; and providing for filing and trial of oppositions to reports of such commissioners; providing other incidental matters, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to engrossment.

HOUSE BILL NO. 120 ON THIRD READING.

Mr. Kemble moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 120 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97.

Mr. Speaker.	Hubbard.
Acker.	Jenkins.
Ackerman.	Johnson
Adkins.	of Dallam.
Allred.	Johnson
Baker.	of Dimmit.
Barnett.	Johnson of Smith.
Bateman.	Jones.
Beck.	Justiss.
Bounds.	Keller.
Bradley.	Kemble.
Brice.	King.
Coltrin.	Kinnear.
Conway.	Lee.
Cox of Lamar.	Long of Houston.
Cox of Limestone.	Loy.
Davis.	Magee.
Dunlap.	Marks.
Duvall.	Mauritz.
Enderby.	McCombs.
Finn.	McGill.
Forbes.	Mehl.
Fuchs.	Metcalfe.
Gates.	Moore.
Gilbert.	Morse.
Giles.	Mullally.
Graves of Erath.	Murphy.
Hardy.	Negley.
Harman.	Nicholson.
Heaton.	Palmer.
Hines.	Patterson.
Hogg.	Pavlica.
Holder.	Petsch.
Hopkins.	Pope of Jones.
Hornaday.	Pope of Nueces.

Purl.
Quinn.
Reader.
Renfro.
Riley.
Rogers.
Shaver.
Shelton.
Sherrill.
Simmons.
Sinks.
Snelgrove.
Speck.
Stevenson.
Storey.

Tarwater.
Terrell.
Tillotson.
Turner.
Van Zandt.
Waddell.
Wallace.
Walters.
Warwick.
West.
Williams
of Sabine.
Williams
of Travis.
Woodruff.

Nays—4.

Bond.
Farrar.

Finlay.
Kennedy.

Present—Not Voting.

Harrison.

Sanders.

Absent.

Albritton.
Anderson.
Avis.
Baldwin.
Brooks.
DeWolfe.
Eickenroht.
Graves
of Williamson.
Harding.
Harper.
Hefley.
Kayton.
Keeton.
Kenyon.
Land.
Lemens.

Long of Wichita.
Mankin.
Martin.
Maynard.
McDonald.
McKean.
Montgomery.
O'Neill.
Pool.
Prendergast.
Ray.
Reid.
Stephens.
Thompson.
Westbrook.
Wiggs.
Young.

Absent—Excused.

Carpenter.
Chastain.
Johnson of Scurry.
Kincaid.
Minor.
Mosely.
Olsen.

Richardson.
Rountree.
Savage.
Veatch.
Webb.
Williams
of Hardin.

The Speaker then laid House bill No. 120 before the House on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 39 ON SECOND READING.

On motion of Mr. McCombs, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 39, A bill to be entitled

"An Act to amend Section 28 of Article 2092 of the 1925 Revised Civil Statutes of the State of Texas so as to provide that all motions for a new trial must be presented within thirty (30) days after the original motion has been filed, and must be determined within forty-five (45) days after said motion has been filed, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 39 ON THIRD READING.

Mr. McCombs moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 39 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Johnson of Smith.
Acker.	Jones.
Adkins.	Justiss.
Allred.	Keeton.
Anderson.	Keller.
Baker.	Kemble.
Barnett.	Kennedy.
Bateman.	King.
Beck.	Kinnear.
Bond.	Lee.
Bounds.	Long of Houston.
Bradley.	Long of Wichita.
Brice.	Loy.
Coltrin.	Magee.
Conway.	Marks.
Cox of Lamar.	McCombs.
Cox of Limestone.	McGill.
Davis.	Mehl.
Dunlap.	Metcalfe.
Enderby.	Moore.
Farrar.	Morse.
Finn.	Mullally.
Finlay.	Murphy.
Forbes.	Negley.
Fuchs.	Nicholson.
Gates.	Palmer.
Gilbert.	Patterson.
Giles.	Pavlica.
Hardy.	Petsch.
Harman.	Pope of Jones.
Harrison.	Pope of Nueces.
Heaton.	Purl.
Hines.	Quinn.
Hogg.	Reader.
Holder.	Richardson.
Hopkins.	Riley.
Hornaday.	Rogers.
Hubbard.	Shaver.
Jenkins.	Shelton.
Johnson	Sherrill.
of Dimmit.	Simmons.

Sinks.	Waddell.
Snelgrove.	Wallace.
Speck.	Walters.
Stevenson.	Warwick.
Storey.	West.
Terrell.	Williams
Tillotson.	of Sabine.
Turner.	Williams
Van Zandt.	of Travis.

Nays—1.

Ackerman.

Present—Not Voting.

Duvall.	Johnson
	of Dallam.

Absent.

Albritton.	Maynard.
Avis.	McDonald.
Baldwin.	McKean.
Brooks.	Montgomery.
DeWolfe.	O'Neill.
Eickenroht.	Pool.
Graves	Prendergast.
of Williamson.	Ray.
Graves of Erath.	Reid.
Harding.	Renfro.
Harper.	Sanders.
Hefley.	Stephens.
Kayton.	Tarwater.
Kenyon.	Thompson.
Land.	Westbrook.
Lemens.	Wiggs.
Mankin.	Woodruff.
Martin.	Young.
Mauritz.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
Minor.	Williams
Mosely.	of Hardin.
Olsen.	

The Speaker then laid House bill No. 39 before the House on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 146 ON SECOND READING.

On motion of Mr. Hubbard, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 146, A bill to be entitled "An Act to amend Section 1 of Chapter 10 of the Acts of the Third Called Session of the Forty-first Legislature, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. McGill offered the following amendment to the bill:

Amend House bill No. 146 by striking out of paragraph 3 the following: "Provided, that in the event of condemnation by the county," etc., to end of paragraph.

The amendment was adopted.

(Mr. Holder in the chair.)

Mr. Gilbert raised a point of order on further consideration of the bill, on the ground that the subject matter contained in the bill has not been submitted by the Governor.

The Speaker overruled the point of order.

Mr. Hubbard offered the following amendment to the bill:

Add to the last paragraph and just preceding the emergency clause the following new paragraph: "Provided, however, that the venue of condemnation proceedings instituted by either the county or the Highway Department shall be in the county in which the land affected lies, and said procedure shall be brought in such county," and amend caption accordingly.

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 146 was then passed to engrossment by the following vote:

Yeas—62.

Acker.	Jones.
Allred.	Justiss.
Beck.	Keller.
Bounds.	Kemble.
Bradley.	Loy.
Brice.	Magee.
Coltrin.	Marks.
Conway.	Mauritz.
Cox of Limestone.	McCombs.
Davis.	McGill.
DeWolfe.	Metcalf.
Dunlap.	Murphy.
Duvall.	Negley.
Forbes.	Petsch.
Gates.	Pope of Jones.
Gilbert.	Reader.
Giles.	Richardson.
Hines.	Shaver.
Hogg.	Simmons.
Hopkins.	Sinks.
Hornaday.	Speck.
Hubbard.	Stevenson.
Jenkins.	Storey.
Johnson	Tarwater.
of Dallam.	Terrell.
Johnson	Tillotson.
of Dimmit.	Turner.
Johnson of Smith.	Van Zandt.

Waddell.
Wallace.
Walters.
Warwick.
West.

Williams
of Sabine.
Williams
of Travis.

Nays—33.

Ackerman.
Adkins.
Anderson.
Baker.
Barnett.
Bateman.
Bond.
Cox of Lamar.
Enderby.
Farrar.
Finn.
Finlay.
Fuchs.
Graves of Erath.
Hardy.
Harman.
Heaton.

Holder.
Kennedy.
Kinnear.
Long of Houston.
Mehl.
Olsen.
Palmer.
Pavlica.
Quinn.
Renfro.
Riley.
Rogers.
Shelton.
Sherrill.
Snelgrove.
Young.

Present—Not Voting.

Mr. Speaker.
Harrison.
Moore.
Mullally.

Nicholson.
Pope of Nueces.
Purl.

Absent.

Albritton.
Avis.
Baldwin.
Brooks.
Eickenroht.
Graves
of Williamson.
Harding.
Harper.
Hefley.
Kayton.
Keeton.
Kenyon.
King.
Land.
Lee.
Lemens.
Long of Wichita.
Mankin.

Martin.
Maynard.
McDonald.
McKean.
Minor.
Montgomery.
Morse.
O'Neill.
Patterson.
Pool.
Prendergast.
Ray.
Reid.
Sanders.
Stephens.
Thompson.
Westbrook.
Wiggs.
Woodruff.

Absent—Excused.

Carpenter.
Chastain.
Johnson of Scurry.
Kincaid.
Mosely.
Rountree.

Savage.
Veatch.
Webb.
Williams
of Hardin.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 17, 1930.
Hon. W. S. Barron, Speaker of the
House of Representatives.
Sir: I am directed by the Senate to

inform the House that the Senate has passed:

H. B. No. 79, A bill to be entitled "An Act to amend Section 10a of Chapter 88 of the Acts of the Second Called Session of the Forty-first Legislature of Texas, and declaring an emergency."

H. B. No. 40, A bill to be entitled "An Act creating the 113th Judicial District Court for Nueces county; defining its jurisdiction; transferring the civil original jurisdiction of the county court of Nueces county to the court created hereby and adjusting the business of said courts; adjusting the business of the Twenty-eighth District Court of Nueces county with the court created hereby, and declaring an emergency."

H. B. No. 73, A bill to be entitled "An Act creating additional and adequate courts for Dallas county; defining their jurisdiction, adjusting the business of the existing district courts to the business thereof, prescribing the duties of the district clerk with respect thereto, repealing all laws in conflict therewith, and declaring an emergency," with amendment.

H. B. No. 108, A bill to be entitled "An Act to authorize the commissioners court of Wilbarger county, Texas, to contract and agree with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wilbarger county, Texas, and to authorize said commissioners court of Wilbarger county, Texas, out of the road and bridge funds of said county, to pay not more than 25 per cent of the cost of construction and maintenance, and to authorize the issuance of bonds or warrants for said purpose; and to provide that the said bridge, when constructed, shall be a part of the public highways of the State of Texas; and to authorize the appropriation of funds by the said Highway Commissioners to aid in the construction and maintenance thereof, on authority herein granted by authority of the Governor of Texas, and declaring an emergency."

H. B. No. 128, A bill to be entitled "An Act amending the provisions of Article 2963, Revised Civil Statutes, 1925."

H. B. No. 117, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor, and

how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

S. B. No. 46, A bill to be entitled "An Act to empower executors and administrators to renew debts of estates of decedents secured by liens on real estate and providing a method for making such renewals."

S. B. No. 34, A bill to be entitled "An Act amending Chapter 46, Acts Forty-first Legislature, Second Called Session, by adding thereto a section to be known as Section 1a, providing that where a city has defaulted in the payment of its obligations, and an application for a receiver has been made, that if upon a hearing of the application for a receiver the court finds that at the time of the default made in the payment of the city's obligation, it levied the highest rate of taxation allowed by the Constitution and laws of the State, and that it placed all taxable property at its full valuation and applied the funds derived from taxation upon the reasonable and necessary operating expenses of the city, and upon the liquidation of the bonds and outstanding indebtedness of the city, and that at the time of the application of a receiver the tax rate of the city was fixed at the highest rate allowed by the Constitution and laws of the State, and that all property subject to taxation was assessed at its full value, and that the funds derived therefrom were applied properly to the reasonable and necessary operating expenses of the city, and to the payment and liquidation of the bonds and outstanding indebtedness of the city, no receiver shall be appointed, and declaring an emergency."

S. B. No. 50, A bill to be entitled "An Act providing that all district courts and all criminal district courts in this State shall be required to keep their courts open for business the full maximum time authorized for the respective terms of such courts, and providing that the judges of such courts shall not be authorized to close the minutes of their respective courts prior to the expiration of the maximum terms thereof; requiring the judges to file with the Comptroller a statement showing compliance with this act before receiving salary and fixing a penalty for failure to comply with this act, and declaring an emergency."

S. B. No. 66, A bill to be entitled "An Act extending any appropriation heretofore made for the years ending August 31, 1930, out of the general revenues for the purpose of promoting the

public school interests of rural schools and equalizing the educational opportunities afforded by the State to all children of scholastic age living in small and financially weak school districts, so that the same may be used for the next fiscal year if there be any remaining at the end of this fiscal year, and declaring an emergency."

S. B. No. 76. A bill to be entitled "An Act amending Article 2791, Title 49, Revised Civil Statutes of Texas, 1925, providing for tax assessors and collectors of independent school districts, fixing their powers and bond, prescribing the duties thereof, and fixing the fees of said assessors and collectors so that the bond required of such tax assessors and collectors of independent school districts shall be in a sum equivalent to forty per cent of the whole amount of the school district taxes for the district as shown by the last preceding assessment, provided said bond shall in no event exceed fifty thousand dollars, and declaring an emergency."

S. B. No. 77, A bill to be entitled "An Act to amend Chapter 81, page 224, of the General and Special Laws of the First Called Session of the Fortieth Legislature, 1927, and declaring an emergency."

S. B. No. 78, A bill to be entitled "An Act to amend Article 7150, Revised Civil Statutes of Texas, 1925, providing for the exemption of certain property from taxation, by adding thereto another Section No. 3a, wherein it is provided that property heretofore or hereafter acquired by the State for prison farms or other prison purposes shall not be exempt from the payment of its pro rata of any maintenance tax of a public school district which said territory or property is a part; providing for the manner of assessing such taxes, how they shall be paid, and providing for the payment of such taxes where delinquent as well as to the future payment thereof."

H. B. No. 7. A bill to be entitled "An Act imposing an occupation tax upon theatrical, dramatic and musical comedy shows, moving picture shows, opera houses, theatres, tents, air domes, and other such structures and for public entertainment operating for private profit; said tax to be collected from the owner, proprietor or operator of such places of entertainment; said tax to be collected from all shows, moving pictures and other public entertainments or exhibitions given for profit in cities, towns and villages; the amount to be graduated according to the population

of said cities, towns and villages as described herein, imposing an annual tax according to said population of said cities, and declaring an emergency."

S. B. No. 79, A bill to be entitled "An Act empowering the county school board of trustees with the authority to add by annexation, or consolidation, or extension of boundary line and contiguous common school districts with any independent school district for high or elementary school purposes, and maintaining the administrative identity and administrative authority of such independent school district to which such school or schools are annexed for teaching purposes."

S. B. No. 91, A bill to be entitled "An Act amending Chapter 91 of the General and Special Laws of Texas of 1927 of the First Called Session of the Fortieth Legislature, entitled 'An Act providing for a rural school supervisor in lieu of the teachers' institute as required under Article 2691, and providing for the payment of the salary of said rural school supervisor in counties having a population of 36,750 to 37,550 according to the Federal Census of 1920, and a scholastic population of at least 9000 as shown by the scholastic census report for the school year of 1926-27, and declaring an emergency,' so as to provide for rural school supervisor, and declaring an emergency."

S. B. No. 94, A bill to be entitled "An Act to fix the salary of the superintendent of public instruction in each county in Texas having a population of not less than 4660 nor more than 4700 according to the Federal Census of 1920; providing for office expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL NO. 30 ON SECOND READING.

On motion of Mr. Davis, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

S. B. No. 30, A bill to be entitled "An Act providing for the appointment or election and term of office of school trustees in all independent districts having fewer than 75,000 population by the Federal Census of 1920 and for all consolidated and rural high school districts; adjusting the term of office of trustees now in office; providing for filling of all vacancies; providing for the

date of first election under this act; repealing all laws both general and special in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

(Speaker in the chair.)

Mr. Holder offered the following amendment to the bill:

Amend Senate bill No. 30, Section 3, by inserting the word "the" in lieu of the word "such" before the word "consolidation," in line 2, page 2.

Signed—Pope of Jones, Holder.

The amendment was adopted.

Mr. Finlay offered the following amendment to the bill:

Amend Senate bill No. 30 by adding after the word "large" on line 13 of Section 4 of the bill, the following "Provided, however, that no original district comprising such high school district shall be entitled to more than two trustees."

Mr. Holder moved to table the amendment by Mr. Finlay.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—58.

Mr. Speaker.	Minor.
Allred.	Moore.
Baker.	Morse.
Bounds.	Murphy.
Bradley.	Olsen.
Conway.	Palmer.
Cox of Lamar.	Pope of Jones.
Cox of Limestone.	Reader.
Davis.	Richardson.
Dunlap.	Riley.
Forbes.	Rogers.
Gilbert.	Sanders.
Graves of Erath.	Shaver.
Harman.	Shelton.
Holder.	Simmons.
Hopkins.	Sinks.
Hubbard.	Speck.
Johnson	Storey.
of Dallam.	Tarwater.
Johnson	Terrell.
of Dimmit.	Tillotson.
Justiss.	Van Zandt.
Keeton.	Waddell.
Kemble.	Walters.
Long of Houston.	Warwick.
Long of Wichita.	Williams
Loy.	of Sabine.
Magee.	Williams
Marks.	of Travis.
McCombs.	Woodruff.
McGill.	Young.
Mehl.	

Nays—35.

Ackerman.	Jenkins.
Anderson.	Jones.
Barnett.	Kennedy.
Bateman.	King.
Beck.	Kinnear.
Bond.	Metcalf.
Brice.	Patterson.
Coltrin.	Pavlica.
DeWolfe.	Pope of Nueces.
Duvall.	Purl.
Farrar.	Quinn.
Finlay.	Ray.
Fuchs.	Sherrill.
Giles.	Snelgrove.
Harding.	Stephens.
Heaton.	Turner.
Hines.	West.
Hornaday.	

Present—Not Voting

Adkins.	Keller.
Enderby.	Mauritz.
Finn.	Mullally.
Hardy.	Nicholson.
Harrison.	Petsch.
Johnson of Smith.	

Absent.

Acker.	Mankin.
Albritton.	Martin.
Avis.	Maynard.
Baldwin.	McDonald.
Brooks.	McKean.
Eickenroht.	Montgomery.
Gates.	Negley.
Graves	O'Neill.
of Williamson.	Pool.
Harper.	Prendergast.
Hefley.	Reid.
Hogg.	Renfro.
Kayton.	Stevenson.
Kenyon.	Thompson.
Land.	Westbrook.
Lee.	Wiggs.
Lemens.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
Mosely.	Williams
Rountree.	of Hardin.

Senate bill No. 30 was then passed to third reading.

SENATE BILL NO. 30 ON THIRD READING.

Mr. Davis moved that the constitutional rule requiring bills to be read on three several days be suspended and that

Senate bill No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—90.

Mr. Speaker.	Long of Wichita.
Adkins.	Loy.
Allred.	Magee.
Anderson.	Marks.
Baker.	McCombs.
Barnett.	McGill.
Beck.	Mehl.
Bounds.	Metcalf.
Bradley.	Moore.
Brice.	Morse.
Coltrin.	Murphy.
Conway.	Negley.
Cox of Lamar.	Olsen.
Cox of Limestone.	Palmer.
Davis.	Petsch.
DeWolfe.	Pope of Jones.
Dunlap.	Purl.
Duvall.	Quinn.
Farrar.	Ray.
Finn.	Reader.
Forbes.	Riley.
Fuchs.	Rogers.
Gilbert.	Sanders.
Giles.	Shaver.
Graves of Erath.	Shelton.
Hardy.	Sherrill.
Harding.	Simmons.
Harman.	Sinks.
Harrison.	Snelgrove.
Hines.	Speck.
Holder.	Stevenson.
Hopkins.	Storey.
Hornaday.	Tarwater.
Hubbard.	Terrell.
Jenkins.	Tillotson.
Johnson	Turner.
of Dallam.	Van Zandt.
Johnson	Waddell.
of Dimmit.	Wallace.
Johnson of Smith.	Walters.
Justiss.	Warwick.
Keeton.	Williams
Keller.	of Sabine.
Kemble.	Woodruff.
Kinnear.	Young.
Long of Houston.	

Nays—11.

Ackerman.	Kennedy.
Bateman.	Pavlica.
Finlay.	Pope of Nueces.
Gates.	Stephens.
Heaton.	West.
Jones.	

Present—Not Voting.

Enderby.	Mullally.
Mauritz.	Nicholson.

Absent.

Acker.	Martin.
Albritton.	Maynard.
Avis.	McDonald.
Baldwin.	McKean.
Bond.	Minor.
Brooks.	Montgomery.
Eickenroht.	O'Neill.
Graves	Patterson.
of Williamson.	Pool.
Harper.	Prendergast.
Hefley.	Reid.
Hogg.	Renfro.
Kayton.	Richardson.
Kenyon.	Thompson.
King.	Westbrook.
Land.	Wiggs.
Lee.	Williams
Lemens.	of Travis.
Mankin.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Veatch.
Johnson of Scurry.	Webb.
Kincaid.	Williams
Mosely.	of Hardin.
Rountree.	

The Speaker then laid Senate bill No. 30 before the House on its third reading and final passage.

The bill was read third time.

Mr. Holder offered the following amendment to the bill:

Amend Senate bill No. 30 by substituting the year "1931" for the year "1930" wherever they occur.

The amendment was adopted.

By unanimous consent, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate bill No. 30 was then passed.

TO SUSPEND CERTAIN HOUSE RULES.

Mr. Keller made the following motion:

Mr. Speaker: I move that Sections 1, 2, 3 and 4 of paragraph 5 of Rule XIX be suspended.

The motion was adopted by the following vote:

Yeas—74.

Mr. Speaker.	Bounds.
Ackerman.	Bradley.
Adkins.	Coltrin.
Anderson.	Conway.
Baker.	Cox of Lamar.
Barnett.	Cox of Limestone.
Bateman.	DeWolfe.
Beck.	Dunlap.

Farrar.	Moore.
Finn.	Morse.
Finlay.	Mullally.
Forbes.	Murphy.
Gates.	Negley.
Gilbert.	Olsen.
Graves of Erath.	Palmer.
Harding.	Patterson.
Harrison.	Petsch.
Hines.	Pope of Jones.
Hogg.	Purl.
Holder.	Quinn.
Johnson	Reader.
of Dallam.	Riley.
Johnson	Sanders.
of Dimmit.	Simmons.
Johnson of Smith.	Sinks.
Justiss.	Speck.
Keeton.	Tillotson.
Keller.	Turner.
Kemble.	Van Zandt.
Long of Houston.	Waddell.
Long of Wichita.	Wallace.
Loy.	Walters.
Magee.	Warwick.
Mauritz.	Williams
McCombs.	of Sabine.
McGill.	Williams
Mehl.	of Travis.
Metcalfe.	Woodruff.
Minor.	Young.

Nays—26.

Brice.	Kinnear.
Davis.	Nicholson.
Enderby.	Pavlica.
Fuchs.	Pope of Nueces.
Giles.	Ray.
Hardy.	Rogers.
Harman.	Shelton.
Heaton.	Snelgrove.
Hopkins.	Stephens.
Jenkins.	Stevens.
Jones.	Storey.
Kennedy.	Tarwater.
King.	West.

Present—Not Voting.

Hornaday.	Sherrill.
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Absent.

Acker.	Kenyon.
Albritton.	Land.
Allred.	Lee.
Avis.	Lemens.
Baldwin.	Mankin.
Bond.	Marks.
Brooks.	Martin.
Duvall.	Maynard.
Eickenroht.	McDonald.
Graves	McKean.
of Williamson.	Montgomery.
Harper.	O'Neill.
Hefley.	Pool.
Hubbard.	Prendergast.
Kayton.	Reid.

Renfro.	Thompson.
Richardson.	Westbrook.
Shaver.	Wiggs.
Terrell.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Veatch.
Johnson of Scurry.	Webb.
Kincaid.	Williams
Mosely.	of Hardin.
Rountree.	

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 34, to the Committee on Municipal and Private Corporations.

Senate bill No. 46, to the Committee on Judiciary.

Senate bill No. 50, to the Committee on Judicial Districts.

Senate bill No. 76, to the Committee on State Affairs.

Senate bill No. 66, to the Committee on Appropriations.

Senate bill No. 77, to the Committee on Penitentiaries.

Senate bill No. 78, to the Committee on Penitentiaries.

Senate bill No. 79, to the Committee on Education.

Senate bill No. 91, to the Committee on Education.

Senate bill No. 94, to the Committee on Education.

HOUSE BILL NO. 73, WITH SENATE AMENDMENTS.

Mr. Purl called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 73, A bill to be entitled "An Act creating additional and adequate courts for Dallas county; defining their jurisdiction, adjusting the business of the existing district courts to the business thereof, prescribing the duties of the district clerk with respect thereto; repealing all laws in conflict therewith, and declaring an emergency."

The Speaker laid the bill before the House, and the amendments were read.

On motion of Mr. Purl, the House concurred in the Senate amendments.

CHANGE IN CONFERENCE COMMITTEE ANNOUNCED.

The Speaker announced the following change in the conference committee on House bill No. 6:

Mr. Hubbard was appointed to take the place of Mr. Westbrook on the conference committee heretofore appointed on House bill No. 6.

RECESS.

On motion of Mr. Beck, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

BILL ORDERED PRINTED IN MIMEOGRAPH FORM.

On motion of Mr. Pope of Jones, Senate bill No. 50 was ordered printed in mimeograph form and not otherwise printed.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Long of Houston, Senate bills Nos. 77 and 78 were ordered not printed.

On motion of Mr. Palmer, Senate bill No. 92 was ordered not printed.

On motion of Mr. Metcalfe, House bill No. 158 was ordered not printed.

TO REQUEST PRISON BOARD TO RESCIND ACTION IN REGARD TO ADMITTANCE OF PRISONERS.

Mr. Duvall offered the following resolution:

Whereas, The Texas Prison Board recently issued an order refusing to accept as inmates persons sentenced to the Texas penitentiary; and

Whereas, Said order, if obeyed and adhered to, will cause the violation of the laws of this State and cause an unreasonable and unjust expense to the several counties of it; and

Whereas, The centralization committee has said that some form of military discipline should be inaugurated in the Texas prison system; and

Whereas, The Prison Board has authority to inaugurate military discipline, but has failed to do so; and

Whereas, There have been public complaints made by public officers concerning the discipline in the Texas penitentiary; and

Whereas, Certain public officials have made public statements concerning prison conditions that are of an inflammatory nature and are calculated

to cause prisoners who hear or read such statements to rebel against discipline; and

Whereas, The prisoners of the Texas penitentiary are permitted to listen to radio programs containing references to prison conditions; and

Whereas, The order herein referred to is contrary to the best interests of Texas, violates our laws and indicates a dereliction of duty on the part of the Prison Board; and

Whereas, Lack of discipline on the part of prisoners is dangerous to the public and harmful to the prisoners themselves; and

Whereas, Public inflammatory speeches and articles heard or read by prisoners tend to incite them to open mutiny and constitute a menace to society in general; therefore, be it

Resolved by the House of Representatives, That the Prison Board be requested to rescind the order herein referred to, and that it be further instructed that it is the sense of this Legislature that the Prison Board adhere to the laws governing the conduct of said Board; and be it further

Resolved, That the Prison Board be requested to take immediate steps to institute strict military discipline in the prison system under the terms of which system prisoners shall have their conduct regulated and their idle hours utilized; and be it further

Resolved, That the Prison Board be instructed to order the warden and his deputies to prohibit any prisoner listening to any radio address concerning the penitentiary problem and to prohibit the reading of any newspaper or magazine article concerning the management or control of the Texas prison system.

Signed—Duvall, Pope of Nueces, Patterson.

The resolution was read second time.

Mr. Pope of Nueces moved that further consideration of the resolution be postponed until 10 o'clock a. m. tomorrow.

Mr. Loy moved to table the motion to postpone.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—67.

Mr. Speaker.
Acker.
Adkins.
Allred.
Baker.
Barnett.

Rounds.
Bradley.
Brice.
Coltrin.
Conway.
Cox of Lamar.

Cox of Limestone.	Palmer.
Davis.	Patterson.
DeWolfe.	Pavlica.
Finn.	Petsch.
Forbes.	Pool.
Gilbert.	Pope of Jones.
Hines.	Purl.
Hogg.	Ray.
Johnson	Riley.
of Dallam.	Rogers.
Johnson	Sanders.
of Dimmit.	Shaver.
Jones.	Shelton.
Justiss.	Sherrill.
Kemble.	Simmons.
Kennedy.	Speck.
Lee.	Stevenson.
Lemens.	Tarwater.
Long of Houston.	Tillotson.
Magee.	Van Zandt.
Mauritz.	Waddell.
Maynard.	Wallace.
McGill.	Walters.
Metcalfe.	Warwick.
Minor.	West.
Morse.	Williams
Mullally.	of Sabine.
Murphy.	Williams
Negley.	of Travis.
Olsen.	Woodruff.

Nays—35.

Ackerman.	Hubbard.
Anderson.	Jenkins.
Bateman.	Johnson of Smith.
Beck.	King.
Bond.	Long of Wichita.
Dunlap.	McCombs.
Duvall.	Mehl.
Finlay.	Moore.
Fuchs.	Pope of Nueces.
Gates.	Quinn.
Giles.	Reader.
Graves of Erath.	Sinks.
Hardy.	Snelgrove.
Harding.	Stephens.
Harman.	Storey.
Heaton.	Terrell.
Holder.	Young.
Hopkins.	

Present—Not Voting.

Enderby.	Hornaday.
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Absent.

Albritton.	Hefley.
Avis.	Kayton.
Baldwin.	Keeton.
Brooks.	Keller.
Eickenroht.	Kenyon.
Farrar.	Kinnear.
Graves	Land.
of Williamson.	Loy.
Harper.	Mankin.
Harrison.	Marks.

Martin.	Renfro.
McDonald.	Richardson.
Montgomery.	Thompson.
Nicholson.	Turner.
O'Neill.	Westbrook.
Prendergast.	Wiggs.
Reid.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

Mr. Kennedy moved the previous question on the resolution, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—94.

Mr. Speaker.	Keller.
Acker.	Kemble.
Ackerman.	Kennedy.
Adkins.	Lemens.
Allred.	Long of Houston.
Anderson.	Loy.
Baker.	Magee.
Barnett.	Marks.
Beck.	Mauritz.
Bond.	Maynard.
Bradley.	McGill.
Brice.	Mehl.
Coltrin.	Metcalfe.
Conway.	Minor.
Cox of Lamar.	Moore.
Davis.	Morse.
DeWolfe.	Mullally.
Dunlap.	Murphy.
Duvall.	Negley.
Enderby.	Nicholson.
Farrar.	Olsen.
Finn.	Palmer.
Finlay.	Patterson.
Fuchs.	Pavlica.
Gates.	Petsch.
Gilbert.	Pool.
Giles.	Pope of Jones.
Harding.	Pope of Nueces.
Harman.	Purl.
Harrison.	Quinn.
Hines.	Riley.
Hogg.	Rogers.
Hornaday.	Sanders.
Hubbard.	Shaver.
Jenkins.	Sherrill.
Johnson	Simmons.
of Dallam.	Sinks.
Johnson of Smith.	Speck.
Jones.	Stephens.
Justiss.	Storey.

Tarwater.
Terrell.
Tillotson.
Turner.
Waddell.
Wallace.
Walters.
Warwick.

West.
Williams
of Sabine.
Williams
of Travis.
Woodruff.
Young.

Nays—11.

Forbes.
Graves of Erath.
Hardy.
Heaton.
Holder.
Johnson
of Dimmit.

King.
Ray.
Reader.
Shelton.
Snelgrove.

Present—Not Voting.

Bateman. Van Zandt.
Cox of Limestone.

Absent.

Albritton.	Lee.
Avis.	Long of Wichita.
Baldwin.	Mankin.
Bounds.	Martin.
Brooks.	McCombs.
Eickenroht.	McDonald.
Graves	Montgomery.
of Williamson.	O'Neill.
Harper.	Prendergast.
Hefley.	Reid.
Hopkins.	Renfro.
Kayton.	Richardson.
Keeton.	Stevenson.
Kenyon.	Thompson.
Kinnear.	Westbrook.
Land.	Wiggs.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was lost by the following vote:

Yeas—48.

Ackerman.	Fuchs.
Adkins.	Gates.
Anderson.	Giles.
Bateman.	Graves of Erath.
Beck.	Hardy.
Bounds.	Harding.
Dunlap.	Harman.
Duvall.	Harrison.
Farrar.	Heaton.
Finlay.	Hines.

Hopkins.
Johnson of Smith.
Keller.
Kennedy.
King.
Long of Houston.
Long of Wichita.
McCombs.
McGill.
Mehl.
Moore.
Negley.
Olsen.
Palmer.
Patterson.
Pavlica.

Pope of Nueces.
Quinn.
Reader.
Sherrill.
Sinks.
Snelgrove.
Stephens.
Stevenson.
Storey.
Tarwater.
Terrell.
Walters.
Williams
of Sabine.
Young.

Nays—56.

Mr. Speaker.
Allred.
Baker.
Barnett.
Bond.
Bradley.
Coltrin.
Conway.
Cox of Lamar.
Cox of Limestone.
Davis.
DeWolfe.
Enderby.
Finn.
Forbes.
Gilbert.
Hogg.
Holder.
Hornaday.
Hubbard.
Johnson
of Dallam.
Johnson
of Dimmit.
Jones.
Justiss.
Keeton.
Kemble.
Lee.
Lemens.

Loy.
Magee.
Marks.
Mauritz.
Maynard.
Metcalf.
Minor.
Morse.
Mullally.
Murphy.
Petsch.
Pool.
Pope of Jones.
Purl.
Ray.
Renfro.
Riley.
Rogers.
Sanders.
Shelton.
Simmons.
Speck.
Tillotson.
Van Zandt.
Waddell.
Wallace.
Warwick.
West.
Woodruff.

Absent.

Acker.	Mankin.
Albritton.	Martin.
Avis.	McDonald.
Baldwin.	Montgomery.
Brice.	Nicholson.
Brooks.	O'Neill.
Eickenroht.	Prendergast.
Graves	Reid.
of Williamson.	Richardson.
Harper.	Shaver.
Hefley.	Thompson.
Jenkins.	Turner.
Kayton.	Westbrook.
Kenyon.	Wiggs.
Kinnear.	Williams
Land.	of Travis.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

Mr. Holder moved to reconsider the vote by which the resolution was lost, and to table the motion to reconsider.

The motion to table prevailed.

Reason for Vote.

In explanation of my vote for the Duvall, Pope and Patterson simple resolution, I wish to state that I voted for the resolution because I believe the suggestions made in the resolution are necessary for good and safe government. However, I wish to deplore the many attacks made on the Chief Executive in connection with the discussion of the resolution as unnecessary and do not wish my vote for the resolution to be understood as in any way approving said attacks.

TARWATER.

HOUSE BILL NO. 25 WITH SENATE AMENDMENTS.

Mr. Williams of Travis called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 25, A bill to be entitled "An Act to provide a period of time when continuity of failure to exercise dominion over land, or claim or render same for taxes, shall prima facie prove title to persons, exercising dominion over, claiming and/or paying taxes on such land, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Williams of Travis, the House concurred in the Senate amendments.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 117, "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor, and how it shall be

paid; providing other things incidental to said purpose, and declaring an emergency."

H. B. No. 40, "An Act creating the 113th Judicial District Court for Nueces county; defining its jurisdiction; transferring the civil original jurisdiction of the county court of Nueces county to the court created hereby and adjusting the business of said courts; adjusting the business of the Twenty-eighth District Court of Nueces county with the court created hereby, and declaring an emergency."

H. B. No. 79, "An Act to amend Section 10a of Chapter 88 of the Acts of the Second Called Session of the Forty-first Legislature of Texas, and declaring an emergency."

H. B. No. 7, "An Act imposing an occupation tax upon theatrical, dramatic and musical comedy shows, moving picture shows, opera houses, theatres, tents, air domes, and other such structures and for public entertainment operating for private profit; said tax to be collected from the owner, proprietor or operator of such places of entertainment; said tax to be collected from all shows, moving pictures and other public entertainments or exhibitions given for profit in cities, towns and villages; the amount to be graduated according to the population of said cities, towns and villages as described herein, imposing an annual tax according to said population of said cities, and declaring an emergency."

H. B. No. 108, "An Act to authorize the commissioners court of Wilbarger county, Texas, to contract and agree with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wilbarger county, Texas, and to authorize said commissioners court of Wilbarger county, Texas, out of the road and bridge funds of said county, to pay not more than 25 per cent of the cost of construction and maintenance, and to authorize the issuance of bonds or warrant for said purpose; and to provide that the said bridge, when constructed, shall be a part of the public highways of the State of Texas; and to authorize the appropriation of funds by the said Highway Commissioner to aid in the construction and maintenance thereof, on authority herein granted by authority of the Governor of Texas, and declaring an emergency."

H. B. No. 128, "An Act amending the provisions of Article 2968, Revised Civil Statutes of Texas, 1925, providing for changing the method and time of secur-

ing certificates of exemption of persons exempt by law from the payment of poll taxes, who are residents of a city of 10,000 inhabitants or more, and providing that during continuous residence of the exempt voter in the voting precinct where such exemption certificate was issued, no additional certificate shall be required, and declaring an emergency."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. B. No. 82, A bill to be entitled "An Act to amend Section 1 of Chapter 10 of the Acts of the Forty-first Legislature, and declaring an emergency."

S. B. No. 87, A bill to be entitled "An Act designating the historical collection of the North Texas State Teachers College, consisting of books, documents, stamps, coins, firearms, implements of warfare, relics, heirlooms and various and sundry other things and collections of historical importance, a State historical collection; authorizing the Board of Regents of said college to accept and receive gifts, donations and collections of all kinds having a historical value, to prescribe rules and regulations with respect to the same, and declaring an emergency."

S. B. No. 92, A bill to be entitled "An Act to subject to taxation for school purposes all land in Cherokee county, Texas, owned by the State of Texas and Prison Commission of Texas, except the land heretofore set aside for the Rusk State Hospital, but including the land heretofore set aside to the Agricultural and Mechanical College for reforestation purposes, and declaring an emergency."

S. B. No. 93, A bill to be entitled "An Act directing the State Superintendents of Public Instruction to pay out of rural aid funds heretofore appropriated by the Forty-first Legislature, Third Called Session, a certain sum of money as a reward for consolidation to the Brownsboro consolidated school district by adding to Chapter 14, Section 8a, carrying out the hereinbefore mentioned purpose, and declaring an emergency."

S. B. No. 95, A bill to be entitled "An Act amending Section 11, Chapter

14, of the General Laws of the Forty-first Legislature, Third Called Session, providing supplemental State aid to those school districts voting \$1.00 tax and maintaining certain standards, and amending Section 16, Chapter 14, of the General Laws of the Forty-first Legislature, Third Called Session, by adding to Section 16 the following words: 'or to those districts which elect to apply for aid under this section, instead of Section 2 of Chapter 14, and declaring an emergency.'"

S. B. No. 96, A bill to be entitled "An Act authorizing commissioners courts in counties in Texas having a population of at least 202,000 inhabitants, as shown by the census of 1920, to levy a direct tax of not over 5 cents on the valuation of \$100 for the purpose of advertising the cities of the county seats and counties," etc.

H. B. No. 53, A bill to be entitled "An Act to amend Section 1, Chapter 147, Acts of Thirty-ninth Legislature, First Called Session, creating and defining by metes and bounds Road District No. 2 of Cherokee county, Texas, under authority of Section 52 of Article 3 of the Constitution of the State of Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes or in aid thereof; providing that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas; excluding certain territory heretofore embraced and contained within said district, and declaring an emergency."

H. B. No. 25, A bill to be entitled "An Act to provide a period of time when continuity of failure to exercise dominion over land, or claim or render same for taxes, shall prima facie prove title to persons exercising dominion over, claiming and/or paying taxes on such land, and declaring an emergency."

H. B. No. 87, A bill to be entitled "An Act to authorize the selection of school depositories for independent districts in certain counties, regardless of the population of said districts, and declaring an emergency."

H. B. No. 99, A bill to be entitled "An Act to regulate the method of taking or catching fish in the public fresh waters in Cass, Bowie, Morris and Titus counties, State of Texas; providing penalties for violation; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 124, A bill to be entitled "An Act to amend Section 1 of House bill No. 91, passed by the Forty-first

Legislature of the State of Texas, relating to the manner of holding elections for the issuing of seawall bonds under Article 6834, Title 118, of said Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 134, A bill to be entitled "An Act amending Chapter 22 of House bill No. 164, passed by the Second Called Session of the Forty-first Legislature, the same being an act regulating the taking of fur-bearing animals in certain counties; declaring the wild beaver, wild otter, wild mink, wild ringtail cat, wild badger, wild polecat or skunk, wild opossum, wild raccoon, wild fox and wild civet cat to be fur-bearing animals and making it unlawful to take any of the fur-bearing animals of this State by means of a steel trap, deadfall or snare in the counties of Panola, Shelby, Nacogdoches, Rusk, Cherokee, Angelina, San Augustine, Hardin, Harris, Harrison, Polk, San Jacinto, Brazos, Madison, Trinity, Tyler, Liberty, Anderson, Sabine, Grimes and Montgomery; providing a penalty, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

COMMITTEE IN REGARD TO UNIVERSITY OIL LAND LEASES.

The Speaker announced the appointment of the following committee in compliance with the resolution calling for an investigation of University oil leases:

Messrs. Long of Wichita, Stevenson, Graves of Williamson, Petsch and Holder.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 6.

Mr. Hubbard called up, for consideration at this time, the following conference committee report on House bill No. 6:

Committee Room.
Austin, Texas, March 17, 1930.

Hon. Barry Miller, President of the Senate, and Hon. W. S. Barron, Speaker of the House of Representatives.

Sirs: We, your conference committee heretofore appointed by your respective bodies to adjust the differences between the House and Senate on

H. B. No. 6, A bill to be entitled "An Act providing for State supervision of cotton weighing at cotton gins and other points of concentration and distribution; providing for State cotton

weight supervision; providing penalties, fees to cover expense of administering the act; making appropriation of moneys to carry same into effect, and enacting all provisions and regulations incidental to the subject and purpose of this act, and declaring an emergency."

Have had the same under consideration, and beg leave to report that we have reached an agreement as to said bill as follows:

The bill as finally passed by the House was taken as a basis for the discussion and has been agreed to with certain corrective changes and additions which embody the Senate amendment reducing the weight supervisor's salary to one hundred fifty (\$150) dollars and limiting the payment of same to the cotton marketing season, and we recommend that the bill hereto attached, being the bill finally agreed to by this committee, be adopted as the act of both houses.

A BILL

To Be Entitled

An Act providing for State supervision of cotton weighing at cotton gins and other points of concentration and distribution; providing for State cotton weight supervision; providing penalties, fees to cover expense of administering the act; making appropriation of moneys to carry same into effect, and enacting all provisions and regulations incidental to the subject and purpose of this act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There shall be appointed by the Commissioner of Agriculture each year as many weight supervisors as may be deemed necessary to see that all cotton is weighed accurately at all points in this State where cotton is ginned, handled, bought, sold, concentrated, compressed or stored; and said weight supervisors shall perform such other duties in connection with the supervisors of weights and measures affecting cotton as in the judgment of the Commissioner of Agriculture is necessary in order to protect the public interest. Such weight supervisors shall serve at the pleasure of the Commissioner of Agriculture, not to exceed two years under one appointment, and shall be paid only during the cotton marketing season.

Sec. 2. Each weight supervisor, before entering upon his duties, shall take

the official oath and execute a good and sufficient surety company bond in the sum of two thousand (\$2000) dollars, conditioned upon the faithful and impartial performance of the duty of his office. Such bond so filed shall be made payable to the State of Texas and shall not be void on first recovery, but may be sued on by any person injured by such weight supervisor. All bonds given by such weight supervisors shall be subject to the approval of the Commissioner of Agriculture, and all bonds and oaths of such weight supervisors shall be filed with said Commissioner.

Sec. 3. It shall be the duty of the weight supervisors to see that all cotton is properly and accurately weighed. In all instances where it is necessary for the weight supervisors to check the weights of any person in this State, or to recheck the weights of any cotton previously weighed, it shall be the duty of said supervisors to make and keep a full and complete record of such cotton, showing the description or marks and tags of such cotton and the weight thereof. A copy of such record shall be mailed or delivered to the party entitled to same at the end of the day during which the cotton weight is checked by said supervisors. It shall be the duty of said weight supervisors to examine into any cotton which may have been reconditioned, or which may require reconditioning, because of damaged condition when shipped, in all instances where any party at interest desires and requests such examination of cotton needing reconditioning. Also, it shall be the duty of said supervisors to report to the party entitled to such report the amount of damaged cotton removed from the bale, the weight of the bale prior to reconditioning, and the weight of the bale subsequent to reconditioning.

Sec. 4. It shall be the duty of the State weight supervisor to test all scales used in weighing cotton as to their accuracy. In the testing of said scales, the authority and procedure as prescribed in Chapter 7, Title 92, Revised Civil Statutes of Texas, 1925, for inspectors of weights and measures in the inspection of weighing and measuring devices is hereby conferred on the State cotton weight supervisor.

Sec. 5. No person shall be appointed a State cotton weight supervisor unless he is an experienced cotton weigher, and such State weight supervisor shall not be a stockholder, officer, employe or in anywise connected with any compress. He shall have a fair education and be able to keep an accurate and legible

record as required by this act. All State cotton weight supervisors shall be persons of sufficient scientific knowledge to properly inspect, examine and report on the technical condition of scales used in weighing cotton. The Commissioner of Agriculture shall provide for such examination as he may deem necessary to determine the qualification and fitness of appointees.

Sec. 6. The Commissioner of Agriculture shall set the salary of all cotton weight supervisors, which shall not exceed the amount of one hundred and fifty dollars (\$150.00) per month, which payments of said salary shall be made when possible to reach the employe by the first of each month, and the said Commissioner shall make such payments out of the gin fees herein provided, and the Commissioner of Agriculture is authorized to pay out of the fees created herein all necessary expenses incurred in the enforcement of this act.

Sec. 7. To cover the expenses of the police regulations herein provided, every person engaged in the operation of a gin for ginning cotton in this State shall pay to the State of Texas a fee of two cents (2c) on each square bale and a fee of one cent (1c) on each round bale of cotton originally ginned, and such fee shall be due and payable at the office of the Commissioner of Agriculture at Austin on the 15th day of each month, and every such person so receiving cotton for original ginning shall, on or before the 15th day of each month during the period of ginning operations make and deliver to the Commissioner of Agriculture a report, sworn to as correct by such person before an officer authorized to administer oaths in this State, on such forms as said Commissioner of Agriculture shall prescribe, showing the total number of square and/or round bales of cotton received for original ginning by such person during the next preceding calendar month.

Sec. 8. Any person required to make reports under the terms and provisions of this act who shall willfully fail or refuse to make the same in the manner or within the time prescribed by this law shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than one dollar (\$1.00) nor more than one thousand dollars (\$1,000.00.)

Sec. 9. The money collected under this act shall be placed in the State Treasury to the credit of a special cotton account, to be known as a cotton supervision fund, by the Commissioner of Agriculture immediately upon the col-

lection of the same, and said money to be expended only for supervising cotton weight.

Sec. 10. All such moneys are hereby appropriated for two years, the same, or so much as necessary, to be used to pay the salaries and other necessary expenses to properly carry out the provisions of this act. The portion of the fund used in the enforcement of this act shall be paid out upon warrants drawn by the Comptroller against the State Treasury upon accounts approved by the Commissioner of Agriculture.

Sec. 11. All owners of gins in this State receiving cotton for original ginning shall, on or before thirty (30) days after the passage of this act file an acknowledged statement with the Commissioner of Agriculture, and a copy thereof to the State Auditor at Austin, Texas, which statement shall set forth the name under which such gin transacts its business, the principal office, residence or place of business in Texas, and if other than an individual the principal officers or members thereof, not to exceed three, and their offices, street or postoffice address. Any person who shall refuse or fail to make such statement shall be guilty of a misdemeanor and on conviction be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00).

Sec. 12. It shall be unlawful for any owner, manager or agent of a gin, compress, cotton yard or warehouse handling cotton to take from any bale of cotton any amount of cotton for a sample or for any other reason except upon the request of the owner, and any and all cotton taken from a bale upon being reconditioned, the same shall be accounted for to the owner. Any person who violates this section or the preceding section shall be guilty of a misdemeanor and on conviction shall be fined not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00).

Sec. 13. Should any State weight supervisor enter into any conspiracy to report any false weight or weights, he shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00), and/or in addition thereto shall be confined in the county jail for not less than six months nor more than one year.

Sec. 14. The Commissioner of Agriculture may promulgate any and all reasonable rules and regulations necessary for the proper and successful en-

forcement of the provisions of this act. All weight supervisors are subject to the direction of the Commissioner, and at his discretion he may transfer any number of supervisors to work in any division of the Department of Agriculture when the movement of cotton is insufficient to demand the full time of all supervisors.

Sec. 15. Whoever hinders or obstructs in any way the Commissioner of Agriculture or his duly appointed weight supervisors in the performance of their duties, as prescribed by this act, shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars.

Sec. 16. All laws, or parts of laws, in conflict with the provisions of this act are hereby repealed. Nothing in this act shall be construed as affecting the public weighers' law or either elective or appointive weighers, but shall be cumulative thereof.

Sec. 17. If any section of this act shall for any reason be declared unconstitutional it shall not thereby affect any other section hereof.

Sec. 18. The fact that the cotton farmers of this State have sustained losses in weights when selling their cotton, which losses are reflected in the price received for the same, and likewise sustained and having likewise had unsatisfactory losses and abuses in the reconditioning of cotton in this State and further that there is no law provided for weight supervisors for supervising of the weighing of cotton in this State and the further fact that Texas is the leading agricultural State in the Union and those engaged in agricultural pursuits are in great need of such duly appointed State weight supervisors, creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days be suspended and that this act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,
HOLBROOK,

WITT,

WOODWARD,

On the Part of the Senate.

ACKERMAN,

HUBBARD,

LEE,

MORSE,

On the Part of the House.

(Mr. Holder in the chair.)

Mr. Hubbard moved that the report be adopted.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—83.

Ackerman.	Mauritz.
Adkins.	Maynard.
Anderson.	McCombs.
Baker.	McGill.
Barnett.	Mehl.
Bateman.	Metcalf.
Bradley.	Minor.
Brice.	Morse.
Coltrin.	Mullally.
Conway.	Negley.
Cox of Lamar.	Nicholson.
Cox of Limestone.	Olsen.
Davis.	Palmer.
DeWolfe.	Pavlica.
Enderby.	Petsch.
Farrar.	Pool.
Finn.	Pope of Jones.
Finlay.	Pope of Nueces.
Forbes.	Quinn.
Fuchs.	Ray.
Gates.	Reader.
Gilbert.	Renfro.
Giles.	Riley.
Harman.	Rogers.
Heaton.	Sanders.
Hogg.	Sherrill.
Hornaday.	Simmons.
Hubbard.	Sinks.
Johnson	Speck.
of Dallam.	Stephens.
Johnson	Stevenson.
of Dimmit.	Storey.
Johnson of Smith.	Tarwater.
Jones.	Terrell.
Justiss.	Tillotson.
Keller.	Van Zandt.
Kemble.	Walters.
Kennedy.	Warwick.
King.	West.
Lee.	Williams
Lemens.	of Travis.
Long of Wichita.	Woodruff.
Magee.	Young.
Marks.	

Nays—16.

Allred.	Murphy.
Beck.	Purl.
Bond.	Shaver.
Bounds.	Shelton.
Hardy.	Turner.
Harding.	Waddell.
Hopkins.	Williams
Long of Houston.	of Sabine.
Moore.	

Present—Not Voting.

Mr. Speaker.	Holder.
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Absent.

Acker.	Albritton.
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Avis.	Kinnear.
Baldwin.	Land.
Brooks.	Loy.
Dunlap.	Mankin.
Duvall.	Martin.
Eickenroht.	McDonald.
Graves	Montgomery.
of Williamson.	O'Neill.
Graves of Erath.	Patterson.
Harper.	Prendergast.
Harrison.	Reid.
Hefley.	Richardson.
Hines.	Snelgrove.
Jenkins.	Thompson.
Kayton.	Westbrook.
Keeton.	Wiggs.
Kenyon.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.
Rountree.	

HOUSE BILL NO. 158 ON SECOND READING.

Mr. Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 158 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Ackerman.	Harding.
Adkins.	Harman.
Allred.	Harrison.
Anderson.	Hines.
Baker.	Hogg.
Barnett.	Holder.
Bateman.	Hopkins.
Beck.	Hornaday.
Bond.	Hubbard.
Bounds.	Johnson
Bradley.	of Dimmit.
Brice.	Johnson of Smith.
Conway.	Jones.
Cox of Lamar.	Justiss.
Cox of Limestone.	Keeton.
Davis.	Keller.
DeWolfe.	Kemble.
Dunlap.	Kennedy.
Enderby.	King.
Finn.	Lee.
Finlay.	Lemens.
Forbes.	Long of Houston.
Fuchs.	Long of Wichita.
Gates.	Loy.
Giles.	Magee.
Hardy.	Mauritz.

Maynard.	Shaver.
McCombs.	Shelton.
McGill.	Sherrill.
Mehl.	Simmons.
Metcalfe.	Sinks.
Moore.	Speck.
Morse.	Stephens.
Mullally.	Stevenson.
Murphy.	Storey.
Negley.	Tarwater.
Olsen.	Terrell.
Palmer.	Tillotson.
Pavlica.	Turner.
Pool.	Van Zandt.
Pope of Jones.	Waddell.
Pope of Nueces.	Walters.
Purl.	Warwick.
Quinn.	West.
Ray.	Williams
Reader.	of Sabine.
Renfro.	Williams
Richardson.	of Travis.
Riley.	Woodruff.
Rogers.	Young.
Sanders.	

Present—Not Voting.

Mr. Speaker. Jenkins.

Absent.

Acker.	Kinnear.
Albritton.	Land.
Avis.	Mankin.
Baldwin.	Marks.
Brooks.	Martin.
Coltrin.	McDonald.
Duvall.	Minor.
Eickenroht.	Montgomery.
Farrar.	Nicholson.
Gilbert.	O'Neill.
Graves	Patterson.
of Williamson.	Petsch.
Graves of Erath.	Prendergast.
Harper.	Reid.
Heaton.	Snelgrove.
Hefley.	Thompson.
Johnson of Dallam.	Westbrook.
Kayton.	Wiggs.
Kenyon.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.
Rountree.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 158, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the

Fortieth Legislature of the State of Texas of 1927 relating to the organization of the Fifty-first (51) Judicial District of the State of Texas; reorganizing the same; naming the counties constituting the same, and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth (35) Judicial District of the State of Texas, reorganizing the same, naming the counties constituting the same and fixing the terms of court to be held in the several counties therein, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 158 ON THIRD READING.

The Speaker then laid House bill No. 158 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—98.

Ackerman.	Jenkins.
Adkins.	Johnson
Allred.	of Dallam.
Anderson.	Johnson
Baker.	of Dimmit.
Barnett.	Johnson of Smith.
Bateman.	Jones.
Beck.	Justiss.
Bond.	Keeton.
Bounds.	Keller.
Bradley.	Kemble.
Brice.	King.
Conway.	Lee.
Cox of Lamar.	Lemens.
Cox of Limestone.	Long of Houston.
Davis.	Magee.
DeWolfe.	Mauritz.
Dunlap.	McCombs.
Enderby.	McGill.
Finn.	Mehl.
Finlay.	Metcalfe.
Forbes.	Moore.
Fuchs.	Morse.
Gates.	Mullally.
Giles.	Murphy.
Hardy.	Negley.
Harding.	Olsen.
Harman.	Palmer.
Harrison.	Pavlica.
Hines.	Pool.
Hogg.	Pope of Jones.
Holder.	Pope of Nueces.
Hopkins.	Purl.
Hornaday.	Quinn.
Hubbard.	Ray.

Reader.	Terrell.
Renfro.	Tillotson.
Richardson.	Turner.
Riley.	Van Zandt.
Rogers.	Veatch.
Sanders.	Waddell.
Shaver.	Wallace.
Shelton.	Walters.
Sherrill.	Warwick.
Simmons.	West.
Sinks.	Williams
Speck.	of Sabine.
Stephens.	Williams
Stevenson.	of Travis.
Storey.	Woodruff.
Tarwater.	Young.

Nays—2.

Farrar.	Kennedy.
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Present—Not Voting.

Mr. Speaker.

Absent.

Acker.	Long of Wichita.
Albritton.	Loy.
Avis.	Mankin.
Baldwin.	Marks.
Brooks.	Martin.
Coltrin.	Maynard.
Duvall.	McDonald.
Eickenroht.	Minor.
Gilbert.	Montgomery.
Graves	Nicholson.
of Williamson.	O'Neill.
Graves of Erath.	Patterson.
Harper.	Petsch.
Heaton.	Prendergast.
Hefley.	Reid.
Kayton.	Snelgrove.
Kenyon.	Thompson.
Kinnear.	Westbrook.
Land.	Wiggs.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Webb.
Kincaid.	Williams
McKean.	of Hardin.
Mosely.	

SENATE BILL NO. 55 ON SECOND READING.

On motion of Mr. Sherrill, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 55, A bill to be entitled "An Act to amend Section 84a of Chapter 25 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, as amended by Chapter 82, Acts of the First Called

Session of the Forty-first Legislature, so as to authorize such district to declare an emergency in certain cases and under certain limitations and to issue interim bonds in evidence of such emergency loans, and to pledge taxes and bonds of the district to secure payment of such emergency loans evidenced by such interim bonds; and further to provide that this act, when adopted, shall apply to water control improvement districts, water improvement districts, levee improvement districts, drainage districts, and all other districts created under the provisions of the Section 59 of Article 16 of the Constitution of the State of Texas, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 55 ON THIRD READING.

Mr. Sherrill moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 55 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Ackerman.	Hornaday.
Adkins.	Hubbard.
Allred.	Johnson
Anderson.	of Dallam.
Baker.	Johnson
Bateman.	of Dimmit.
Beck.	Johnson of Smith.
Bounds.	Jones.
Bradley.	Justiss.
Brice.	Keeton.
Conway.	Keller.
Cox of Lamar.	Kemble.
Cox of Limestone.	King.
Davis.	Lee.
DeWolfe.	Lemens.
Dunlap.	Long of Houston.
Enderby.	Long of Wichita.
Farrar.	Magee.
Finn.	Marks.
Finlay.	Mauritz.
Forbes.	McCombs.
Fuchs.	McGill.
Gates.	Mehl.
Giles.	Metcalfe.
Graves of Erath.	Minor.
Hardy.	Moore.
Harding.	Morse.
Harman.	Mullally.
Harrison.	Murphy.
Hines.	Negley.
Hogg.	Olsen.
Holder.	Palmer.

Pavlica.	Stephens.
Petsch.	Stevenson.
Pool.	Storey.
Pope of Jones.	Tarwater.
Pope of Nueces.	Terrell.
Purl.	Tillotson.
Quinn.	Turner.
Ray.	Van Zandt.
Reader.	Waddell.
Richardson.	Wallace.
Riley.	Walters.
Rogers.	Warwick.
Sanders.	West.
Shaver.	Williams
Shelton.	of Sabine.
Sherrill.	Williams
Simmons.	of Travis.
Sinks.	Woodruff.
Speck.	Young.

Nays—2.

Kennedy. Renfro.

Present—Not Voting.

Mr. Speaker.

Absent.

Acker.	Kenyon.
Albritton.	Kinnear.
Avis.	Land.
Baldwin.	Loy.
Barnett.	Mankin.
Bond.	Martin.
Brooks.	Maynard.
Coltrin.	McDonald.
Duvall.	Montgomery.
Eickenroht.	Nicholson.
Gilbert.	O'Neill.
Graves	Patterson.
of Williamson.	Prendergast.
Harper.	Reid.
Heaton.	Snelgrove.
Hefley.	Thompson.
Hopkins.	Westbrook.
Jenkins.	Wiggs.
Kayton.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid Senate bill No. 55 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Ackerman.	Baker.
Adkins.	Barnett.
Allred.	Bateman.

Beck.	McCombs.
Bounds.	McGill.
Bradley.	Mehl.
Brice.	Metcalfe.
Coltrin.	Minor.
Conway.	Moore.
Cox of Lamar.	Morse.
Cox of Limestone.	Mullally.
Davis.	Murphy.
DeWolfe.	Negley.
Dunlap.	Olsen.
Enderby.	Palmer.
Farrar.	Pavlica.
Finn.	Petsch.
Finlay.	Pool.
Forbes.	Pope of Jones.
Fuchs.	Pope of Nueces.
Gates.	Purl.
Giles.	Quinn.
Graves of Erath.	Ray.
Hardy.	Reader.
Harding.	Renfro.
Harman.	Richardson.
Harrison.	Riley.
Heaton.	Rogers.
Hines.	Shaver.
Hogg.	Shelton.
Holder.	Sherrill.
Hornaday.	Simmons.
Hubbard.	Sinks.
Jenkins.	Speck.
Johnson	Stephens.
of Dallam.	Stevenson.
Johnson	Storey.
of Dimmit.	Tarwater.
Johnson of Smith.	Terrell.
Jones.	Tillotson.
Justiss.	Turner.
Keeton.	Van Zandt.
Keller.	Waddell.
Kemble.	Wallace.
Kennedy.	Walters.
King.	Warwick.
Lee.	West.
Lemens.	Williams of Sabine.
Long of Houston.	Williams
Magee.	of Travis.
Marks.	Woodruff.
Mauritz.	Young.

Present—Not Voting.

Mr. Speaker. Long of Wichita.

Absent.

Acker.	Harper.
Albritton.	Hefley.
Anderson.	Hopkins.
Avis.	Kayton.
Baldwin.	Kenyon.
Bond.	Kinnear.
Brooks.	Land.
Duvall.	Loy.
Eickenroht.	Mankin.
Gilbert.	Martin.
Graves	Maynard.
of Williamson.	McDonald.

Montgomery.	Sanders.
Nicholson.	Snelgrove.
O'Neill.	Thompson.
Patterson.	Westbrook.
Prendergast.	Wiggs.
Reid.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

SENATE BILL NO. 62 ON SECOND READING.

On motion of Mr. Hogg, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 62, A bill to be entitled "An Act to amend Title 76 of the Revised Civil Statutes of Texas of 1925, by adding thereto Article 4644a, providing that no injunction shall be granted to stay or prevent the vacating, abandonment or closing by the city council or governing body of any incorporated city of this State of any street or alley in any such incorporated city of this State, except at the suit of the owner or lessees of real property actually abutting on that part of such street or alley actually vacated, abandoned or closed, and then only in the event that the damages of said owner or lessee shall not have been released or shall not have been ascertained and paid in a condemnation suit by such city; provided that any person who, under existing laws, has the right to enjoin a city from vacating, abandoning or closing any street or alley of such city and whose right to such injunction is denied by this act, shall have the right to an action for damages for any injury that may be sustained by reason of the vacating, abandoning or closing of any street or alley by such city, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Hardy moved a call of the House for the purpose of maintaining a quorum until 6 o'clock p. m. today, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Hardy, the Ser-

geant-at-Arms was instructed to bring in all absent members within the city who are not ill.

Mr. McCombs moved the previous question on the passage of the bill to third reading, and the main question was ordered.

Question first recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 62 was then passed to third reading by the following vote:

Yeas—48.

Anderson.	Murphy.
Beck.	Negley.
Bradley.	Olsen.
Cox of Lamar.	Palmer.
Cox of Limestone.	Petsch.
Davis.	Pool.
Dunlap.	Pope of Jones.
Forbes.	Pope of Nueces.
Harman.	Purl.
Hogg.	Quinn.
Hornaday.	Reader.
Hubbard.	Rogers.
Johnson	Sanders.
of Dimmit.	Shaver.
Justiss.	Simmons.
Keeton.	Tarwater.
Keller.	Terrell.
Kemble.	Tillotson.
Long of Houston.	Turner.
Magee.	Waddell.
Mauritz.	Wallace.
Mehl.	Walters.
Minor.	Warwick.
Moore.	Williams
Morse.	of Travis.

Nays—46.

Ackerman.	Johnson
Adkins.	of Dallam.
Allred.	Kennedy.
Baker.	King.
Barnett.	Lee.
Bond.	Lemens.
Bounds.	Loy.
Brice.	Marks.
Coltrin.	McCombs.
Conway.	McGill.
DeWolfe.	Pavlica.
Finn.	Ray.
Finlay.	Renfro.
Fuchs.	Richardson.
Gates.	Riley.
Giles.	Shelton.
Graves	Sinks.
of Williamson.	Speck.
Graves of Erath.	Stephens.
Hardy.	Van Zandt.
Harrison.	West.
Heaton.	Williams
Hines.	of Sabine.
Holder.	Woodruff.
Jenkins.	

Present—Not Voting.

Mr. Speaker.	Jones.
Bateman.	Metcalf.
Enderby.	Mullally.
Farrar.	Sherrill.
Johnson of Smith.	

Absent.

Acker.	Mankin.
Albritton.	Martin.
Avis.	Maynard.
Baldwin.	McDonald.
Brooks.	Montgomery.
Duvall.	Nicholson.
Eickenroht.	O'Neill.
Gilbert.	Patterson.
Harding.	Prendergast.
Harper.	Reid.
Hefley.	Snelgrove.
Hopkins.	Stevenson.
Kayton.	Storey.
Kenyon.	Thompson.
Kinnear.	Westbrook.
Land.	Wiggs.
Long of Wichita.	Young.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

Mr. Morse moved to reconsider the vote by which the bill was passed to third reading, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 44 ON SECOND READING.

On motion of Mr. Warwick, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 44, A bill to be entitled "An Act amending Section 1 of Senate bill No. 26, Acts of the Fourth Called Session of the Forty-first Legislature, with reference to the salaries of county judges and county commissioners, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

(Speaker in the chair.)

SENATE BILL NO. 44 ON THIRD READING.

Mr. Warwick moved that the constitutional rule requiring bills to be read on three several days be suspended and that

Senate bill No. 44 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97.

Mr. Speaker.	Marks.
Adkins.	Mauritz.
Allred.	McGill.
Anderson.	Mehl.
Baker.	Metcalf.
Barnett.	Minor.
Bateman.	Moore.
Beck.	Morse.
Bounds.	Mullally.
Bradley.	Murphy.
Coltrin.	Negley.
Conway.	Olsen.
Cox of Lamar.	Palmer.
Cox of Limestone.	Pavlica.
Davis.	Petsch.
DeWolfe.	Pool.
Dunlap.	Pope of Jones.
Enderby.	Pope of Nueces.
Farrar.	Purl.
Finn.	Quinn.
Finlay.	Ray.
Forbes.	Reader.
Fuchs.	Renfro.
Gates.	Richardson.
Giles.	Riley.
Graves of Erath.	Rogers.
Hardy.	Sanders.
Harman.	Shaver.
Harrison.	Shelton.
Heaton.	Sherrill.
Hines.	Simmons.
Hogg.	Sinks.
Holder.	Speck.
Hornaday.	Stevenson.
Hubbard.	Storey.
Johnson	Tarwater.
of Dallam.	Terrell.
Johnson of Smith.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Keller.	Waddell.
Kemble.	Walters.
Kennedy.	Warwick.
King.	West.
Lemens.	Williams
Long of Houston.	of Sabine.
Long of Wichita.	Williams
Loy.	of Travis.
Magee.	Woodruff.

Nays—3.

Ackerman.	Stephens.
Bond.	

Present—Not Voting.

Brice.	McCombs.
Graves	Wallace.
of Williamson.	Young.
Johnson of Dimmit.	

Absent.

Acker.	Land.
Albritton.	Lee.
Avis.	Mankin.
Baldwin.	Martin.
Brooks.	Maynard.
Duvall.	McDonald.
Eickenroht.	Montgomery.
Gilbert.	Nicholson.
Harding.	O'Neill.
Harper.	Patterson.
Hefley.	Prendergast.
Hopkins.	Reid.
Jenkins.	Snelgrove.
Kayton.	Thompson.
Keeton.	Westbrook.
Kenyon.	Wiggs.
Kinnear.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid Senate bill No. 44 before the House on its third reading and final passage.

The bill was read third time, and was passed.

SENATE BILL NO. 39 ON SECOND READING.

On motion of Mr. McGill, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 39, A bill to be entitled "An Act providing for procuring and filing in the General Land Office certain papers, maps, sketches and reports relating to the survey of lands by virtue of certificates issued by the State to the Texas and Pacific Railway Company and its predecessors in title, now in the custody of said railway company, the same to become archives of the General Land Office; providing for the authentication of said papers, maps, sketches and reports and making same admissible in evidence as other archives of said office; enacting other regulations and provisions in connection with said subject-matter, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 39 ON THIRD READING.

Mr. McGill moved that the constitutional rule requiring bills to be read on

three several days be suspended and that Senate bill No. 39 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	Magee.
Adkins.	Marks.
Allred.	Mauritz.
Anderson.	McGill.
Baker.	Mehl.
Barnett.	Metcalf.
Bateman.	Minor.
Beck.	Moore.
Bond.	Morse.
Bounds.	Mullally.
Bradley.	Murphy.
Brice.	Negley.
Coltrin.	Olsen.
Conway.	Palmer.
Cox of Lamar.	Pavlica.
Cox of Limestone.	Pool.
Davis.	Pope of Jones.
DeWolfe.	Purl.
Dunlap.	Quinn.
Enderby.	Ray.
Farrar.	Reader.
Finlay.	Renfro.
Forbes.	Richardson.
Gates.	Riley.
Giles.	Rogers.
Graves	Sanders.
of Williamson.	Shaver.
Graves of Erath.	Sherrill.
Hardy.	Simmons.
Harman.	Sinks.
Harrison.	Snelgrove.
Heaton.	Speck.
Hines.	Stephens.
Hogg.	Stevenson.
Holder.	Storey.
Hornaday.	Tarwater.
Johnson	Terrell.
of Dallam.	Tillotson.
Johnson of Smith.	Turner.
Jones.	Van Zandt.
Justiss.	Waddell.
Keller.	Walters.
Kennedy.	Warwick.
King.	West.
Lee.	Williams
Lemens.	of Sabine.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Loy.	Woodruff.

Nays—1.

Ackerman.

Present—Not Voting.

Gilbert.	McCombs.
Johnson	Wallace.
of Dimmit.	Young.

Absent.

Acker.	Kinnear.
Albritton.	Land.
Avis.	Mankin.
Baldwin.	Martin.
Brooks.	Maynard.
Duvall.	McDonald.
Eickenroht.	Montgomery.
Finn.	Nicholson.
Fuchs.	O'Neill.
Harding.	Patterson.
Harper.	Petsch.
Hefley.	Pope of Nueces.
Hopkins.	Prendergast.
Hubbard.	Reid.
Jenkins.	Shelton.
Kayton.	Thompson.
Keeton.	Westbrook.
Kemble.	Wiggs.
Kenyon.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid Senate bill No. 39 before the House on its third reading and final passage.

The bill was read third time, and was passed.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 73, "An Act creating additional and adequate courts for Dallas county, defining their jurisdiction, adjusting the business of the existing district courts to the business thereof, prescribing the duties of the district clerk with respect thereto; repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 25, "An Act to provide a period of time when continuity of failure to exercise dominion over land or claim or render same for taxes shall prima facie prove title to persons exercising dominion over, claiming and/or paying taxes on such land, and declaring an emergency."

H. B. No. 134, "An Act amending Chapter 22 of House bill No. 164, passed by the Second Called Session of the Forty-first Legislature, the same being an act regulating the taking of fur-bearing animals in certain counties; declaring the wild beaver, wild otter, wild mink,

wild ringtail cat, wild badger, wild polecat or skunk, wild opossum, wild raccoon, wild fox and wild civet cat to be fur-bearing animals and making it unlawful to take any of the fur-bearing animals of this State by means of a steel trap, deadfall or snare in the counties of Panola, Shelby, Nacogdoches, Rusk, Cherokee, Angelina, San Augustine, Hardin, Harris, Harrison, Polk, San Jacinto, Brazos, Madison, Trinity, Tyler, Liberty, Anderson, Sabine, Grimes and Montgomery; providing a penalty, and declaring an emergency."

H. B. No. 124, "An Act to amend Section 1 of House bill No. 91, passed by the Forty-first Legislature of the State of Texas, relating to the manner of holding elections for the issuing of seawall bonds under Article 6834, Title 118, of said Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 87, "An Act to authorize the selection of school depositories for independent districts in certain counties regardless of the population of said districts, and declaring an emergency."

H. B. No. 53, "An Act to amend Section 1, Chapter 147, Acts of the Thirty-ninth Legislature, First Called Session, creating and defining by metes and bounds Road District No. 2 of Cherokee county, Texas, under authority of Section 52 of Article 3 of the Constitution of the State of Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; providing that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas; excluding certain territory heretofore embraced and contained within said district, and declaring an emergency."

H. B. No. 99, "An Act to regulate the method of taking or catching fish in the public fresh waters in Cass, Bowie, Morris and Titus counties, State of Texas; providing penalties for violation; repealing all laws in conflict herewith, and declaring an emergency."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

H. B. No. 12, A bill to be entitled "An Act amending Articles 7084, 7085, 7089, and repealing Articles 1538i, 7088

and 7090, Revised Civil Statutes, 1925, levying and imposing franchise taxes on domestic and foreign corporations, and declaring an emergency," with amendment.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

MESSAGE FROM THE GOVERNOR.

Mr. Mark Wiginton, assistant secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read, as follows:

Executive Office,
State of Texas.

Austin, Texas, March 17, 1930.

To the Forty-first Legislature:

In previous messages, I have advised you of the requests which have been made for the appropriation of funds to meet additional emergency needs of the departments and institutions. These requests in so far as they apply to the present fiscal year, that is to say the fiscal year ending August 31, 1930, may be summarized, as follows:

Educational institutions:

Departmental maintenance.	\$128,800.00
Summer Schools	404,674.00
Total	\$533,474.00

The State-supported colleges made a request for the appropriation of a contingent fund for salaries, but this request has been eliminated.

The prison system has requested an appropriation for its support and maintenance totaling \$488,311.27.

The Board of Control has submitted a request for the eleemosynary institutions totaling \$39,470.

Departments of the State government have requested supplemental appropriations for their emergency needs totaling approximately \$50,000.

The figures hereinabove given represent requests for funds for the remainder of the present fiscal year.

For the fiscal year beginning September 1, 1930, and ending August 31, 1931, the educational institutions have requested \$886,003. The prison system has requested \$527,332.19. The Board of Control has requested for the eleemosynary institutions \$49,800.

It is obvious that there is not enough revenue available to meet all of these requests. Up to the present, one revenue bill has been passed by the Legis-

lature which has reached me for approval, and that is House bill No. 19. This bill, I am advised, will increase the revenues approximately \$800,000 per annum. It imposes a tax on public utilities. The bill provides that the tax shall be paid on the first days of January, April, July and October of each year.

The bill did not receive an emergency vote, and therefore will become effective ninety days from the adjournment of the present session of the Legislature. The increased tax, therefore, paid under this bill between now and September 1st would be paid on July 1st, and would cover the tax period from the effective date of the bill, that is, about the middle of June, to July 1st, and this sum will, of course, be nominal.

I estimate that there will be in the general revenue fund on the first of September a sum of from \$100,000 to \$150,000, and certainly not in excess of the last named amount. In other words, I believe the present income will pay warrants drawn against outstanding appropriations up to September 1st, and perhaps will leave a balance of not exceeding \$100,000 to \$150,000.

I have suggested the need of revenues to meet these requests for additional emergency appropriations. The revenues have not been provided but there is a small sum of money, as shown herein, which may be appropriated and doing what you can to meet these needs I am submitting for your consideration from the funds available. If you pass other bills to yield revenues to the Treasury, of course, that can be taken into account. I am not going to permit the State to be put on a deficit by the appropriation of funds beyond the expectant revenues of the State. To place the State on a deficiency means that many of the employes of the State government must discount their warrants, and that the people in selling supplies that are bought by the State, knowing that the warrants are not cashable want to add to the price of the article enough money to cover the charge of carrying the warrant. I will not approve appropriations beyond the revenues of the State. I want to do whatever can be done to meet these needs, but I will not consent to the appropriation of money beyond the funds available. Whatever you can do within the limits of the revenues of the State towards meeting these needs I think should be done, but you have had opportunity to raise the revenue to meet these needs, and you have not done it, and I will not become responsible for

approving appropriations except within the money that the State has in sight.

Respectfully submitted,
(Signed) DAN MOODY.

HOUSE BILL NO. 12, WITH SENATE AMENDMENTS.

Mr. Van Zandt called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 12, A bill to be entitled "An Act amending Articles 7084, 7085, 7089, and repealing Articles 1538i, 7088 and 7090, Revised Civil Statutes, 1925, levying and imposing franchise taxes on domestic and foreign corporations, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Van Zandt moved that the House do not concur in the Senate amendments and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

BILLS LAID ON THE TABLE SUBJECT TO CALL.

On motion of Mr. Hines, Senate bill No. 67 was laid on the table subject to call.

On motion of Mr. Holder, House bill No. 61 was laid on the table subject to call.

SENATE BILL NO. 37 ON SECOND READING.

On motion of Mr. Gates, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 37, A bill to be entitled "An Act cancelling and annulling the lease which Travis county holds against the court house and jail property owned by the State of Texas."

The Speaker laid the bill before the House, and it was read second time.

Mr. Williams of Travis offered the following (committee) amendment to the bill:

Amend Senate bill No. 37 by changing the figure "5," line 14, page 2, to the figure "4."

Mr. Williams of Travis offered the following substitute for the (committee) amendment:

Amend Senate bill No. 37 by striking out the figure "5" in line 19 and inserting in lieu thereof the figure "4."

The amendment was adopted.

The amendment as substituted was then adopted.

Mr. Williams of Travis offered the following (committee) amendment to the bill:

Amend Senate bill No. 37 by adding a new section between Sections 2 and 3, to be numbered as Section 2a:

"Sec. 2a. That Senate bill No. 74, passed at the Fourth Called Session of the Forty-first Legislature of the State of Texas, the substance of which is contained in Sections 1 and 2 of this act, be and the same is hereby repealed in its entirety and as shown by its caption and contents."

The amendment was adopted.

Mr. Graves of Williamson offered the following amendment to the bill:

Amend Senate bill No. 37 by inserting the following: Beginning just before the word "provided" on line 11, page 2, thereof and insert the following: "or said county may elect to accept in lieu of the cancellation of said lease the following tract of land, such acceptance to be in writing and spread on the minutes of the commissioners court of said county and accepted according to terms and provisions of this act, the land to be given in lieu of said lease being described as follows: Being a lot or parcel of land located within the city limits of Austin, Travis county, Texas, and being approximately 275 feet east and west and 270 feet north and south, lying directly west of Guadalupe street and north of Third street, south of West Fourth street and east of San Antonio street, and commonly known as the old court house and jail block."

The amendment was adopted.

Mr. Quinn offered the following amendment to the bill:

Amend Senate bill No. 37, page 2, Section 2, by adding at the end of Section 2 the following: "The warrant shall not be paid, if ever paid, until possession of said land and improvements is given the State."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Mr. Pope of Nueces offered the following amendment to the bill:

Amend Senate bill No. 37 by striking out the words in lines 32 and 33, page 2, to wit: "Property is vacated," and insert in lieu thereof the following: "Payment is made and accepted as herein provided, whether in cash or by delivery of patent to either of said blocks."

The amendment was adopted.
Senate bill No. 37 was then passed to third reading.

SENATE BILL NO. 37 ON THIRD
READING.

Mr. Gates moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 37 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—91.

Mr. Speaker.	Marks.
Ackerman.	Mauritz.
Adkins.	McGill.
Allred.	Mehl.
Anderson.	Metcalfe.
Barnett.	Minor.
Bateman.	Moore.
Beck.	Morse.
Bond.	Negley.
Bounds.	Olsen.
Bradley.	Palmer.
Brice.	Pavlica.
Coltrin.	Petsch.
Conway.	Pool.
Cox of Lamar.	Pope of Jones.
Cox of Limestone.	Pope of Nueces.
Davis.	Quinn.
DeWolfe.	Ray.
Dunlap.	Reader.
Enderby.	Renfro.
Finn.	Richardson.
Finlay.	Riley.
Forbes.	Rogers.
Fuchs.	Sanders.
Gates.	Shaver.
Giles.	Shelton.
Graves	Sherrill.
of Williamson.	Simmons.
Hardy.	Sinks.
Harman.	Speck.
Harrison.	Stevenson.
Hines.	Storey.
Hogg.	Tarwater.
Holder.	Terrell.
Hornaday.	Tillotson.
Hubbard.	Turner.
Johnson of Smith.	Van Zandt.
Jones.	Waddell.
Justiss.	Wallace.
Keller.	Walters.
King.	West.
Lee.	Williams
Lemens.	of Sabine.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Loy.	Woodruff.
Magee.	Young.

Nays—7.

Farrar.	Kennedy.
Heaton.	Murphy.

Purl.
Snelgrove.

Stephens.

Present—Not Voting.

Graves of Erath. Johnson of Dimmit.

Absent.

Acker.	Kenyon.
Albritton.	Kincaid.
Avis.	Land.
Baker.	Mankin.
Baldwin.	Martin.
Brooks.	Maynard.
Duvall.	McCombs.
Eickenroht.	McDonald.
Gilbert.	Montgomery.
Harding.	Mullally.
Harper.	Nicholson.
Hefley.	O'Neill.
Hopkins.	Patterson.
Jenkins.	Prendergast.
Johnson	Reid.
of Dallam.	Thompson.
Kayton.	Warwick.
Keeton.	Westbrook.
Kemble.	Wiggs.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Johnson of Scurry.	Veatch.
Kinnear.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid Senate bill No. 37 before the House on its third reading and final passage.

The bill was read third time, and was passed.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 82, to the Committee on Highways and Motor Traffic.

Senate bill No. 87, to the Committee on Education.

Senate bill No. 92, to the Committee on Revenue and Taxation.

Senate bill No. 93, to the Committee on Appropriations.

Senate bill No. 95, to the Committee on Education.

Senate bill No. 96, to the Committee on Revenue and Taxation.

SENATE BILL NO. 63 ON SECOND
READING.

On motion of Mr. Johnson of Smith, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 63, A bill to be entitled "An Act to create the One Hundred and Twentieth Judicial District of Texas and to designate the counties constituting said district, and fixing the time for holding court therein; reorganizing the Eighty-sixth Judicial District of Texas, and designating the counties constituting said district and fixing the time for holding court in the various counties of said district, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Johnson of Smith offered the following amendment to the bill:

Amend Senate bill No. 63 by striking out, in Section 1, in the paragraph beginning "in Henderson county" the words "thirteenth Monday" and inserting in lieu thereof the words "fourteenth Monday"; and by striking out the words "four weeks" and inserting in lieu thereof the words "three weeks"; and also by striking out, in said section, in the paragraph beginning with the words "in Smith county" the words "continue five weeks" and inserting in lieu thereof the words "continue four weeks"; and also by inserting in the paragraph beginning with the words "in Anderson county" and immediately after said words the following: "Beginning the twelfth Monday after the first Monday in December and continue two weeks"; and also amend the caption to read as follows by inserting the word "court" after the words "clerk of the district," and by inserting after the words "respective counties" the following: "and providing that the district clerk of Dallas county shall be the clerk of the Eighty-sixth District Court in Dallas county."

The amendment was adopted.

Senate bill No. 63 was then passed to third reading.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Mauritz:

H. B. No. 159, A bill to be entitled "An Act providing for the levying and collection of income taxes upon individuals, fiduciaries, corporations, joint stock companies and associations, residing or doing business within the State of Texas, and upon non-residents having income from property located in or business transacted within the State of Texas; fixing the rates of tax to be levied and collected from such income; designating what shall constitute income under the provisions of this act, and allowing certain deductions from gross income for the purpose of calculating net income; providing for exemptions of amounts or parts of incomes, such exemptions to be excepted from said tax, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Farrar:

H. B. No. 160, A bill to be entitled "An Act providing that the annual interest and sinking fund as it falls due on all county road district or road precinct road bonds, to the extent that the proceeds thereof were used in the construction of State designated highway or highways, shall be paid out of funds of the Highway Commission; providing the methods by which the amount of such proceeds so expended may be determined; providing how that such road bonds hereafter to be voted and issued may be entitled to the benefits of this act, and making appropriation of funds of the Highway Department for the purpose of carrying out the provisions of this act."

Referred to Committee on Highways and Motor Traffic.

CONFERENCE COMMITTEE ON
HOUSE BILL NO. 12.

The Speaker announced the appointment of the following conference committee on House bill No. 12:

Messrs. Van Zandt, Metcalfe, DeWolfe, Tillotson and Beck.

ADJOURNMENT.

Mr. Pool moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Morse moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Morse prevailed, and the House accordingly, at 6:15 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Appropriations: House bills Nos. 71 and 127.

Highways and Motor Traffic: Senate bill No. 88.

Penitentiaries: Senate bills Nos. 77 and 78.

Judicial Districts: Senate bill No. 50 and House bill No. 158.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 115, A bill to be entitled "An Act authorizing the commissioners court to contract for the collection of insolvent taxes due on personal property in the same manner and subject to the same rules and regulations as now provided by law for contracts governing the collection of delinquent taxes due on real property; provided, that such contracts for the collection of insolvent taxes may authorize the payment of commissions without the necessity of suit being filed to effect collection, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 40, A bill to be entitled "An Act creating the 117th Judicial District Court for Nueces county; defining its jurisdiction, transferring the civil original jurisdiction of the county court of Nueces county to the court created hereby and adjusting the business of said courts; adjusting the business of the Twenty-eighth District Court of Nueces county with the court created hereby, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 73, A bill to be entitled "An Act creating one additional district court for Dallas county; defining jurisdiction, adjusting the business of the existing district courts to the business thereof; prescribing the duties of the district clerk with reference thereto, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 116, A bill to be entitled "An Act providing that all petroleum tank cars used in this State shall be liable for taxation in the county where such tank cars are maintained or assembled for storing or shipping petroleum products, or where the owner or lessee of such tank cars maintains an office or loading rack; providing that where any railroad company owns tank cars, the same shall be subject to taxation in the same manner as other rolling stock owned by such railroad company; providing that such tank cars shall be taxed as other personal property, and fixing first lien on same to secure any unpaid taxes due thereon, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 128, A bill to be entitled "An Act amending the provisions of Article 2968, Revised Civil Statutes of Texas, 1925, providing for changing the method and time of securing certificates of exemption of persons exempt by law from the payment of poll taxes who are residents of a city of 10,000 inhabitants or more, and providing that during continuous residence of the exempt voter in the voting precinct where such exemption certificate was issued, no additional

exemption certificate shall be required, etc., and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin Texas, March 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 105, A bill to be entitled "An Act providing for the taking of depositions in matters pending before the Railroad Commission, or any division thereof; prescribing rules and regulations governing the same, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 78, A bill to be entitled "An Act authorizing juries to be drawn, selected and empaneled in felony cases in counties other than the county where the case is pending where a jury cannot be secured alike fair and impartial in such county; authorizing the district judge to have juries to be drawn, selected and empaneled; authorizing the accused to be present when a jury is drawn and empaneled and waive his presence when same is drawn; authorizing the per diem and traveling expenses of the sheriff and jurors when ordered, and providing for the proper care and expenses of such jurors; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,
Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 39, A bill to be entitled "An Act to amend Section 28 of Article 2092 of the 1925 Revised Civil Statutes of the State of Texas, so as to provide that all motions for a new trial must be presented within thirty (30)

days after the original motion has been filed, and must be determined within forty-five (45) days after said motion has been filed, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 146, A bill to be entitled "An Act to amend Section 1 of Chapter 10 of the Acts of the Third Called Session of the Forty-first Legislature, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 120, A bill to be entitled "An Act amending Article 1206 of Chapter 17, Title 28, Revised Civil Statutes of the State of Texas of 1925, relating to condemnation of property by cities for highway purposes; providing for appointment of commissioners, for award of damages for property taken or damaged; providing for notices and hearings; prescribing the powers and procedure of such commissioners, fixing their compensation; and providing for filing and trial of oppositions to reports of such commissioners; providing other incidental matters, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 86, A bill to be entitled "An Act amending Chapter 221, Regular Session of the Forty-first Legislature, regulating the taking and sale of the pelts of fur-bearing animals; providing for an open season for taking such pelts; providing for a trapper's license; pro-

viding for a tax on the pelts of fur-bearing animals taken for the purpose of sales, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room.

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 25, "An Act to provide a period of time when continuity of failure to exercise dominion over land or pay taxes thereon shall prima facie prove title to persons exercising dominion over and paying taxes on such land, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 99, "An Act to regulate the method of taking or catching fish in the public fresh waters in Cass, Bowie, Morris and Titus counties, State of Texas; providing penalties for violation; repealing all laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 124, "An Act to amend Section 1 of House bill No. 91, passed by the Fourth Called Session of the Forty-first Legislature of the State of Texas, relating to the manner of holding elections for the issuing of seawall bonds under Article 6834, Title 118, of said Revised Civil Statutes of 1925, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 87, "An Act to authorize the selection of school depositories for independent districts in certain counties, regardless of the population of said districts, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 53, "An Act to amend Section 1, Chapter 147, Acts of the Thirty-ninth Legislature, First Called Session, creating and defining by metes and bounds Road District No. 2 of Cherokee county, Texas, under authority of Section 52 of Article 3 of the Constitution of the State of Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; providing that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas; excluding certain territory heretofore embraced and contained within said district, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 134, "An Act amending Chapter 22 of House bill No. 164, passed by the Second Called Session of the Forty-first Legislature, the same being an act regulating the taking of fur-bearing animals in certain counties; declaring the wild beaver, wild otter, wild mink, wild ringtail cat, wild badger, wild polecat or skunk, wild opossum, wild raccoon, wild fox and wild civet cat to be fur-bearing animals and making it unlawful to take of the fur-bearing animals of this State by means of a steel trap, deadfall or snare in the counties of

Panola, Shelby, Nacogdoches, Rusk, Cherokee, Angelina, San Augustine, Hardin, Harris, Harrison, Polk, San Jacinto, Brazos, Madison, Trinity, Tyler, Liberty, Anderson, Sabine, Grimes and Montgomery; providing a penalty, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 73, "An Act creating one additional district court for Dallas county, defining jurisdiction, adjusting the business of the existing district courts to the business thereof, prescribing the duties of the district clerk with respect thereto, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 7, "An Act imposing an occupation tax upon theatrical, dramatic and musical comedy shows, moving picture shows, opera houses, theatres, tents, airdomes, and other such structures; and for public entertainment operating for private profit; said tax to be collected from the owner, proprietor or operator of such places of entertainment; said tax to be collected from all shows, moving pictures and other public entertainments or exhibitions given for profit in cities, towns and villages; the amount to be graduated according to the population of said cities, towns and villages as described herein, imposing an annual tax according to said population of said cities, towns or villages, according to the last preceding Federal census; granting authority to such cities, towns, and villages to collect an additional tax equal to one-half the State tax, repealing all laws in conflict herewith and particularly repealing Section 22 of Article 7047, Revised Civil Statutes of the State of Texas and Chapter 6 of the General Laws of the Third Called Session of the Thirty-eighth Legislature, and all laws or parts of laws in conflict

with the provision of this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 128, "An Act amending the provisions of Article 2968, Revised Civil Statutes of Texas, 1925, providing for changing the method and time of securing certificates of exemption of persons exempt by law from the payment of poll taxes, who are residents of a city of 10,000 inhabitants or more, and providing that during the continuous residence of the exempt voter in the voting precinct where such exemption certificate was issued, no additional exemption certificate shall be required, and abolishing the necessity of yearly exemption certificates, and providing for method of securing renewal or reissue of exemption certificate in the event of loss or destruction thereof, and providing for endorsement and registration of certificate in the event of removal from voting precinct of issue to another such voting precinct where certificate is required, and declaring an emergency."

Has carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 79, "An Act to amend Section 10a of Chapter 88 of the Acts of the Second Called Session of the Forty-first Legislature of Texas, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 108, "An Act to authorize the commissioners court of Wilbarger county, Texas, to contract and agree

with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wilbarger county, Texas, and to authorize said commissioners court of Wilbarger county, Texas, out of the road and bridge funds of said county to pay not more than twenty-five per cent of the cost of construction and maintenance, and to authorize the issuance of bonds or warrants for said purpose and to provide that the said bridge, when constructed, shall be a part of the public highways of the State of Texas, and to authorize the appropriation of funds by the said Highway Commissioner to aid in the construction and maintenance thereof, on authority herein granted by authority of the Governor of Texas, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room.

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 117, "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room.

Austin, Texas, March 15, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 19, "An Act amending Article 7060 of the Revised Civil Statutes of 1925 so as to increase and provide for an occupation tax based on gross receipts, upon each individual, company, corporation or association engaged in owning, operating, managing, or controlling any gas, electric light, electric power or waterworks, or water and light plant, for local sale and distribution in incorporated towns or cities of certain populations within this State and charging for gas, electric lights, electric power,

or water; providing certain exceptions; enacting necessary means and regulations in order to collect said tax and incidental to said subject; repealing Sections 17, 18 and 19 of Article 7047 of the Revised Civil Statutes of 1925, and declaring an emergency."

Have carefully compared same and find in correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 40, "An Act creating the 117th Judicial District Court for Nueces county; defining its jurisdiction; transferring the civil original jurisdiction of the county court of Nueces county to the court created hereby and adjusting the business of said courts; adjusting the business of the Twenty-eighth District Court of Nueces county with the court created hereby; prescribing the duties of the district clerk with respect thereto, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

TWENTIETH DAY.

(Tuesday, March 18, 1930.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Dunlap.
Acker.	Enderby.
Ackerman.	Farrar.
Adkins.	Finn.
Albritton.	Finlay.
Allred.	Forbes.
Anderson.	Fuchs.
Baker.	Gates.
Barnett.	Gilbert.
Bateman.	Giles.
Beck.	Graves
Bond.	of Williamson.
Bounds.	Graves of Erath.
Bradley.	Hardy.
Brice.	Harding.
Brooks.	Harman.
Coltrin.	Harrison.
Conway.	Heaton.
Cox of Lamar.	Hines.
Cox of Limestone.	Hogg.
Davis.	Holder.
DeWolfe.	Hopkins.